









Digitized by the Internet Archive
in 2014 .

City of Boston.

1.

Monday, January 7. 1839.

This being the day appointed by law for the organization of the City government. The following gentlemen appeared and took their seats, viz:

Samuel A. Eliot, Mayor.

Aldermen.

Henry Farnam,	Thomas Hunting,
Thomas Wetmore,	Samuel Quincy,
Nathan Gurney,	Isaac Harris, and
Joseph W. Maynard,	James Harris.

Mr Chapman came up with a message from the Common Council stating, that a quorum of the Common Council had assembled, and were now ready to form a Convention of the two branches of the City Council, for the purpose of their being organized.

The two branches met in Convention in the Common Council Chamber. The meeting was opened with prayer, by the Rev. Francis W. P. Greenwood.

The Honorable Lemuel Shaw, Chief Justice of the Supreme Judicial Court, administered the several oaths required by law, to the Mayor. The Mayor afterwards administered the like oaths to the Aldermen; and then to the members of the Common Council. After which he addressed the City Council. The two branches then separated.

A message was received from the Common Council, that they had made choice of Philip Marett, Esq. for President, & Richard G. Wait, Esq. Clerk.

Mepage

Ordered, that a mepage be sent to the Common Council, proposing a convention forthwith of the City Council, in the Common Council Chamber, for the purpose of electing a City Clerk.

A mepage was received from the Common Council, signifying their concurrence with the board of Aldermen to form a convention of the City Council, at the time, and for the purpose above mentioned.

In Convention.

City Clerk
chosen.

Agreeably to apignment the two branches of the City Council met in Convention, in the Common Council room, for the purpose of electing a City Clerk. Aldermen Farnam, Mep^r Shipley and Hammond were appointed a committee to receive, sort and count the votes, who reported that the whole number was fifty one, all of which were for Samuel F. McCleary, and he was unanimously chosen. The oath of office was administered to the City Clerk by the Mayor.

The business of the Convention being accomplished the two branches separated.

Standing com^{es}

The following standing committees were nominated and appointed, viz: Police. The Mayor.
Internal health. Aldermen Hayward, Hunting & Isaac Harris.
External health. Aldermen Wetmore, Farnam and Gurney.
Jail and houses of Correction, Reformation and Industry.
The Mayor, Aldermen Wetmore & James Harris.
Fire department. Mayor, Aldermen Farnam & Quincy.
Market. Aldermen Hunting, Isaac Harris & Quincy.

Common. Malls, Fort & Coppers hill. Mayor, Ald. Farnam & Gurney. 3.

Burial grounds & cemeteries. Aldermen Farnam, Quincy & Jas. Harris.

Lamps, bells & clocks. Aldermen Gurney, Hunting & Jas. Harris.

Bridges. Aldermen Hunting and Quincy.

Licenses. Aldermen Wetmore, Gurney & James Harris.

Laying out & widening streets. Ald. Farnam, Gurney & Wetmore.

Repairs of streets
Paving. Aldermen Quincy, Hunting & Isaac Harris.

Drains & sewers. Aldermen Wetmore, Hayward & Isaac Harris.

Ordered, that when the board shall adjourn, that it adjourn to meet on Monday next, four o'clock p.m. and that Mondays at four o'clock be the time for meeting until further orders. Aldermen time of meeting.

Ordered, that the several subjects not acted upon which were referred from the last board to this be referred to the several committees upon the subjects to which they relate. Unfinished business.

Application of Harvey, Potter & Briggs, who were licensed to exhibit at No. 76, Washington street, experiments and feats of activity, praying to remove to No. 159 Broad street, corner of Purchase street. Referred to the committee on licenses with full power. Harvey, Potter & Briggs.

John R. Bradford, wood measurer returned that he measured the last year, four hundred & sixty four loads of wood. Wood measurer's return.

Adjourned to Monday next, four o'clock, p.m.

A.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the fourteenth day of January, A. 1839.

Present -

The Mayor, and the whole board of Aldermen.

Rules & Orders

Joint.

Order of the Common Council, directing that the joint rules and orders of the City Council of the past year be adopted until otherwise ordered. Came up for concurrence. Read and concurred.

Accounts

com^d on

The board proceeded by ballot to elect on its part a committee on accounts, and the votes being taken it appeared that Aldermen Hayward and Gurney were chosen. The members on the part of the Common Council are Mep^rs Amory, McAllister and Wells.

Public buildings

Com^d

Order of the Common Council appointing Mep^rs Moulton, Preston, T. J. Shelton, Dodd and Page a committee on public buildings on its part. Came up for concurrence: Read and concurred, and the Mayor, Aldermen Farnam and Quincy were appointed on the part of this board.

Rules & Orders

com^d on

Order of the Common Council appointing Mep^rs Austin, Gordon and Snow, with such as the board of Aldermen might join, a committee to prepare and report rules and orders for the government of the two branches of the City Council. Came up for concurrence. Read & concurred, and Aldermen Farnam & Wetmore were joined.

Order of the Common Council, Apr. 5.
appointing Messrs E. Williams, Gordon, Brooks, Mearns, Vaughan, Haines, Hutchins, and L. L. Raymond, a committee on finance, on the Com.
part of that board. Came up for concurrence. Read and concurred, and the Mayor was joined.

Order of the Common Council Apr. Public Lands
appointing Messrs Hammond, White and Shipley, a committee Com.
on public lands; on the part of that board. Came up for concurrence. Read and concurred, and Aldermen Gurney, & Huntington were joined.

Order of the Common Council direct City Hall
ing that so much of the Mayor's address as relates to the Com.
erection of a new City Hall, together with all the papers on the files of the City Council relating to that subject, be referred to a committee of five on the part of that board; with such as the board of Aldermen might join, with instructions to report as soon as practicable. And Messrs E. Williams, M. Allaster, Moulton, Prescott and Wells were appointed on the part of the Common Council. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Tarnam and Quincy, were joined.

Order of the Common Council, Apr. Water
appointing Messrs J. Parker, Chapman, S. Shultz, Thompson, Com.
Parrott, Wilkins & Leopold, a committee on the introduction of Water, on its part. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Tarnam, Wetmore, Gurney & Hayward were joined.

6.
Water?

Order of the Common Council directing that so much of the Mayor's address as relates to the subject of a supply of pure^{soft} water for the whole City, with all the documents on the files of the City Council in relation thereto, be referred to the standing committee on the introduction of Water. Came up for concurrence. Read & concurred.

Water?

Order of the Common Council directing that the standing committee on the introduction of pure water be instructed to request James S. Baldwin, for the use of the City Council, a statement of his reasons for departing from the opinion of the other Commissioners as expressed in their report; and for such other suggestions in relation to the subject, as he may think proper to communicate. Came up for concurrence. Read and concurred.

Treasurer
County acc?

The County Treasurer's communication respecting a balance due from the Commonwealth on salary of County Attorney, which has not been allowed. Referred to Aldermen Motmore, Sarnam and Gurney, to consider and report.

Stocks
Sh. house in
Ward 3.

Petition of William Mooker, and others, for a new School house in Ward No. 3. Referred to the committee on public buildings on the part of this board, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred. & the Common Council joined on its part, the standing committee on public instruction.

The Superintendent of drains and sewers 7.
made reports of assignments for costs of constructing common sewers (common sewers
in Clark street and Couch street). Read and passed. There-
upon ordered, that said Superintendent make out the several
bills and lodge them with the Treasurer for collection.

Petition of William B. English, Editor English
of the Daily Herald, that he may be authorized to publish
the ordinances and orders of the City Council, in said paper.
Referred to Aldermen Farnam, James Harris and Quincy,
with such as the Common Council may join, to consider
and report. Sent down for concurrence. Came up con-
curred; and the Common Council joined on its part Messrs.
Lincoln, Haughton, Shattuck, Austin and Shipley.

Ordered, that the committee on Printing
the petition of the publisher of the Herald be instructed to
report if any alteration is necessary in the present mode of
publishing the ordinances and orders of the City. Sent
down for concurrence. Came up concurred.

Ordered, that the Mayor, Alder- Primary school
men Farnam and Isaac Harris, be a committee to consider houses
and report how many primary school houses it will be
necessary to erect the current year, and where they shall
be located.

Ordered, that the committee on public Ward's land
lands be authorized to purchase a lot of land of Joshua
Ward, containing about seventeen hundred and sixty square feet

8. for the purpose of erecting a primary school house; said lot is situated on a passage way leading west from Carver Street, bounded, the cost does not exceed the sum of fourteen hundred dollars, and that the same be charged to the appropriation for primary schools, for the year 1838. Sent down for concurrence. Came up concurred.

Gray
Public garden

The joint committee on public land authorized and empowered to grant to Morace Gray and his associates the use of such portion of the City's land west of Charles Street, as they may deem expedient for the purpose of a public garden, have attended to the duty assigned them, and after an examination of the premises, and hearing the explanations of the Petitioners in relation to the extent of the proposed garden; the necessity there was of obtaining most of the City's land enclosed, adjoining the mill dam, in order fully to carry out their plans. The committee, after mature consideration were unanimously of opinion that the occupation of said land for the purposes contemplated, would neither diminish the pecuniary interest of the City, nor mar the prospect in that direction, or endanger the health of the inhabitants, but would tend to improve the whole. With this view the committee were forcibly impressed that the request ought to be granted, and therefore to hereby designate, grant and assign to the said Morace Gray, and his associates and assigns for the purpose of a public garden, with all the rights and privileges, and subject to all the duties, restrictions and prohibitions contained in an order of the City Council, passed the eighth day of November 1838, a plan is

herewith exhibited, delineating the lines and quantity 9.
of land so granted, amounting to twenty acres & two
quarters; and the same plan also delineates the lines &
quantity of a plat of land containing one acre and
three quarters embraced in the same enclosure, reserved
by the City for their occupation and use, and the bounds
any of the two pieces follow, viz: Beginning at the
point of intersection formed by the westerly side of Charles
Street, and the southerly side of the Mill dam or Western
Avenue, and thence running southerly by the westerly
side of said Charles Street, about thirteen hundred &
ten feet, to the northerly side of a forty feet street, lead-
ing to the City hay scales near the empty basin; thence
running westerly by the northerly side of said forty feet
street about eight hundred and thirty feet, to the line
established between the City of Boston, and the Boston
water power company; thence turning and running north-
westerly by said last mentioned line about thirteen hun-
dred and ten feet to the said Western Avenue; thence run-
ning easterly by the southerly side of said Western Avenue
six hundred and fifty feet to the point of beginning, and
containing about twenty two and a quarter acres; Res-
erving however from the above described premises about one
acre and three quarters of an acre for the use & occupation
of said City of Boston, which is bounded and described as
follows, viz: Beginning at a point in the northerly side
of said forty feet street, leading to said hay scales, at the
distance of two hundred and fifty feet from the westerly side
of said Charles Street; thence running by a circular line

10 Draw with a radius of one hundred feet, to a point seven
hundred feet northwesterly from said forty foot street, and at
right angles from a point in the northwesterly side of
said street which is three hundred and nine feet and
six inches from the westerly side of said Charles Street;
thence running by another circular line drawn with a
radius of one hundred feet, to a point one hundred fifty
feet northwesterly from said forty foot street, and at right angles
to a point in the northwesterly side of said forty foot street
which is three hundred and sixty nine feet distant from
the westerly side of said Charles Street; thence running
westerly parallel to said forty foot street, and at the
distance of one hundred and fifty feet therefrom, about
four hundred and forty five feet to the line established
between said City of Boston, and the Boston Water, Gas, &
Co. thence running southerly by said last mentioned line
one hundred and fifty feet to said forty foot street; thence
running easterly by the northwesterly side of said forty
foot street; thence running easterly by the northwesterly
side of said forty foot street about five hundred and
eighty feet to said point which is two hundred & fifty
feet west from Charles Street, conforming to a plan ex-
amined by Isaac Lee Wadsworth dated Dec. 26. 1838.

	Nathan Gurney	}	Committee
	Thos. Huntington		
Jan ^y 2. 1839	L. P. Grosvenor	}	
	Nath. Hammond		
		Warren White)

Read and ordered to be placed on file.

Ordered, that the joint committee M.
on public lands be authorized, to purchase a lot of land, Prince & Snowhill
with a small dwelling thereon, situated at the corner of
of Prince, and Snowhill streets; and that the sum of
fourteen hundred dollars, with interest from the twenty
fourth day of September last, be paid for the same. Said
lot contained, five hundred, and fifty two square feet;
three hundred, and twenty four feet of the same, has
been taken by the city to widen Snowhill street.
And also that the Superintendent of public land, be
authorized, to sell the remainder, under the direction of
the committee on streets, and that said sum be changed
to the appropriation for widening and extending streets.
Sent down for concurrence. Came up concurred with an
amendment at (a) strike out "streets" and insert "Public
lands."

Read and concurred.

Ordered, that there be paid to Whitney
William Whitney, the sum of ninety dollars for seventy Summer street.
five feet of land taken from his estate to widen Summer
street, near Purchase street, on his giving a good and
sufficient deed of the same, and releasing the city from
all damages.

Ordered, that the account against Weston
the town of Weston, for the support in the house of,
correction of Thijak, Bonier, from 23^d of June, 1838, to
October 23^d 1838, be placed with E. Dorsey Derby, counsel
for at law, for collection, with instructions to collect the
same by suit or otherwise, as soon as may be, & with

12.

power to receive the payment of the same, and receipt therefor, in the name of the City.

Westford

(Ordered, that the account against the town of Westford, for the support in the house of Correction of Ann Maria Peirce from August 23. 1832, to January 24. 1833. Of Ann Maria Peirce alias Williams, from January 4. 1834, to April 3. 1834. Of Ann Maria Peirce from May 26. 1835, to November 26. 1835. Of Ann Maria Williams alias Peirce from September 17. 1836, to March 17. 1837. Of Sarah Williams alias Ann M. Peirce from June 9. 1837 to December 9. 1837. be placed with E. Gerry Justin, Counsellor at Law, for collection, with instructions to collect the same by suit or otherwise, as soon as may be, and with power to receive the payment of the same, and receipt therefor, in the name of the City.

Officers of Poor

The annual report of the Overseers of the poor of their receipts and expenditures. Read and sent down.

Inspectors of Prisons

The Inspectors of prisons, made their reports which were read and laid on the table, and ordered to be printed.

Adjourned to Wednesday next, 3 o'clock, P. M.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall,
on Wednesday, the sixteenth day of January, A. 1839.

Present.

The Mayor, and the whole board of Aldermen, except
Alderman Maynard.

The application of John Breed, junr. Breed
vs.
ing that this board would assess the damages against the
Eastern Rail Road Corporation, in consequence of taking his land Eastern Rail Road
by said Corporation, being a part of Belle Isle, for their road,
and the injury of his estate occasioned by such taking; ac-
cording to the form of the Statute in such case made &
provided. Which application was made to the board of
Aldermen, December 17. 1838, and remained among the
unfinished business of the last board, and was referred
to the present board. And now the parties appear and
were heard by their counsel; and several witnesses were
examined under oath, who were offered by the com-
plainant.

The board then adjourned to half past three
o'clock, tomorrow afternoon.

At a meeting of the board of Alder-
men of the City of Boston, on Thursday, the seventeenth
day of January, Anno Domini, 1839.

Present.

The Mayor, and the whole board of Aldermen.

Ordered, that there be paid to Walter Frost, Frost.

14. The sum of two hundred and fifty dollars, in full for damages sustained by him, in removing his buildings from Court square, the same sum being awarded to him by reference, deducting therefrom fifteen dollars, the one half the expense of reference, on his releasing the City from all damages.

While I Dall

Suffolk

The committee on drains and sewers to whom was referred the petition of Warren Whiton and Joseph Dall, praying, that a revision of the apportionment for constructing a common sewer in Suffolk street, reported, that the apportionment complained of, has been correctly made, & that the petitioners therefore have leave to withdraw their petition.

Read and accepted.

Breed

11

Eastern Road

The board resumed the hearing of John Breed's complaint, At. The Eastern Road Corporation, for damages in taking his land for their road, over Belle Isle; And after the examination of divers witnesses, under oath, in behalf of the complainant; the further consideration of the subject was postponed to Wednesday next, half past three o'clock, P. M.

Common Council

member qualified.

Newell A. Thompson, member elect of the Common Council for ward N^o 6, appeared, attended by Mr. Lincoln, and the several oaths required by law, to qualify him to take his seat as member of said Council, were administered to him by the Mayor.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of A. S.
Aldermen of the City of Boston, held at City Hall, on
Monday, the twenty first day of January, A. D. 1839.

Present -

The Mayor, and the whole board of Aldermen.

Order of the Common Council, Jail
appointing Messrs Grant, Hammond, Stearns, S. B. Parker,
and Parrott, with such as the board of Aldermen might
join, a committee on so much of the Mayor's address
as relates to the Jail in Leverett Street, and that all
the papers on file relating to that subject be referred
to said committee. Came up for concurrence. Read
and concurred, and the Mayor, Aldermen Farnam,
Isaac Harris and James Harris were joined.

Order of the Common Council ap- Library
pointing Messrs Shattuck, Chapman and Thayer, with such
as the board of Aldermen might join, a committee to con-
sider and report upon the expediency of organizing a
Library of such books as may now be deemed expedient
to add, adapted to the purposes, and for the uses of
the City government. Came up for concurrence. Read
and concurred, and Aldermen Wetmore and Hayward were
joined.

Order of the Common Council, City debt.
directing, that so much of the Mayor's address as relates
to the redemption of the City debt, be committed to the
committee on Finance, with instructions to consider the

10. expediency of increasing the annual appropriation for that purpose to the sum of fifty thousand dollars. Came up for concurrence. Read and concurred.

Primary School
houses

(Order of the Common Council, directing the committee on public instruction on the part of that board, with such as the board of Aldermen might join, to ascertain and report the present number and situation of the primary schools of the City. And to consider what number of primary school houses it will be necessary or expedient for the City to procure or build during the present year, with proper locations for the same, and the probable cost thereof, and to report the same to the City Council, with such other suggestions relative to the subject as they may think proper. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Tarnam and Isaac Harris were joined.

Deputy City
Marshal

(Order of the Common Council appointing Messrs. Sinclair, Gordon and Stevens, with such as the board of Aldermen might join, a committee to consider the expediency of abolishing the office of deputy City Marshal. Came up for concurrence. Read & concurred, and the Mayor was joined.

Lamps

(Order of the Common Council, appointing Messrs. E. Williams, W. H. Raymond, and Watkins, with such as the board of Aldermen might join, a committee to inquire what are the whole number of lamps in the City which

are lighted with gas; and the relative expense of each, 17.
to the City. And further to consider whether any
improvement in the present mode of lighting the City
can be made, and to report as soon as practicable, the
result of their enquiries. Came up for concurrence.
Read and nonconcurred.

The joint committee, appointed to report Joint rules &
rules and orders for the government of the two branches of the City Council, have attended to that service, and ask leave to
Report. That they have carefully examined the rules and
orders heretofore established for the government of the two
branches of the City Council, and do not discover that any
alteration is required to improve them; they therefore recom-
mend that the same be adopted for the current year.
The committee request to be authorized to publish in
the book containing the rules and orders, the usual
catalogue of City officers, and also such acts and ordi-
nances not already published as they may deem ex-
pedient. For the committee - Henry Larnam.

Read and accepted. Sent down for concurrence.
Came up concurred.

The committee on the Jail Houses Chaplain of
of Industry, Correction and Reformation, ask leave to report, Industry for the
to the two boards, that in consequence of the order which
passed the Council on the 14th of November, last appropri-
ating one thousand dollars, per annum, to the support of a
minister of the gospel for the houses of Industry, Correction
and Reformation, they have the honor to report that the same
has been accepted by the Board of Industry, Correction and Reformation.

18. including the hospital for the Insane, several applications have been received for appointment to that office. They are from the following persons, & are accompanied by such references and testimonials, as they respectively thought proper: viz. Mr. Thomas Simpson, Josiah Brewer, Elizabeth P. Loring, Robert S. Wallcutt, Daniel M. Stearns, Ebenezer P. Sherry & Howard Damon. As the choice of Chaplain for the two towns rests with the City Council, according to the resolve of the 19th November, last, the committee recommend, that a time for coming to the choice be assigned by each board, and in the mean while offer the papers, which are in the hands of the Chairman, to the examination of the Council. At which is respectfully submitted, by order of the committee. Saml. A. Eliot, Chairman.

Read and accepted, and the board assigned Monday next, 4 o'clock, P. M. for the choice on its part.

Sent down for concurrence.

Came up concurred.

County Treas.
Salary of 1847.
of Suffolk.

The committee to whom was referred the communication of the County Treasurer in relation to the mode of paying the salary of the County Attorney, of the Commonwealth, for the County of Suffolk, reported, an order that application be made to the Legislature for an alteration of the law, respecting the payment of said salary.
Read and accepted.

Adjourned to Wednesday next, 3 1/2 o'clock, P. M.

19.

At a meeting of the board of
Aldermen, of the City of Boston, held at City Hall, on
Wednesday, the twenty second day of January, A. D. 1839.

Present.

The Mayor, and the whole board of Aldermen.

Ordered, that there be paid to Elijah Weatherbee
E. Weatherbee, the sum of one hundred and eight dollars & Summer st.
twenty five cents, in addition to four hundred, forty one dollars
and seventy five cents, which was ordered to be paid to him
on the fifth of November last, in all five hundred and fifty
dollars, and fifty cents, in full for land taken from his estate
say 154 1/2 feet; and twenty nine feet from the same estate;
when it was owned by J. D. Dyer, in all one hundred eighty
three & a half feet, to widen Summer street, on his giving a
good and sufficient deed of the same, and releasing the City
from all damages.

Breed

The board resumed the hearing in the
case of John Breed vs. The Eastern Rail Road Corporation; two
more witnesses were sworn and examined on the part of the com. Eastern Rail Road
plainant. John Breed as principal, Ebenezer Breed, and
Franklin Dexter, as sureties entered into recognizance, in the
sum of one thousand dollars. The condition of which
is, to save the County of Suffolk, from all costs and expenses,
which may arise, by reason of said John Breed's application, and
the proceedings thereon.

Baldwin

James Baldwin, Esq. one of the Water
Commissioners made a report, giving his reasons for dissenting
from the report heretofore made by the other two commissioners.

in preferring spot and Mystic Bonds, and giving his preference to Long Bonds as the most suitable source for water to be brought into the City. Read and ordered to be printed.

Adjourned to Monday, next, four o'clock. P. M.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty eighth day of January, A. D. 1839.

Present—

The Mayor, and the whole board of Aldermen.

Johnson School
house land

Order of the Common Council instructing the joint committee on public lands to inquire and report, whether the vacant land between the Johnson School house and Tremont street is necessary for the use of the pupils of said school, and if not, whether it is expedient that the said land be sold. Came up for concurrence.

Read and concurred.

Wicks
Handcarts

Petition of J. M. Allen, and others, praying that the handcarts at the corner of Milk and Congress streets, may be removed. Read and thereupon ordered, that the City Marshal cause the same to be removed.

Jackson
Engine

Petition of George Jackson, and others, to have an Engine placed at or near Blackstone square. Referred to the committee on the fire department.

Ordered, that the Mayor & Aldermen, 21.
be and they are hereby appointed Surveyors of highways, Surveyors of
the present year, according to the terms of the ordinance, highways.
passed May 9. 1832. Sent down for concurrence.
Came up concurred.

Agreeably to apignment the board Chaplain
proceeded by ballot, to the choice of a Chaplain of the houses of Industry &
of Industry and Correction, including the Hospital for the correction
Insane; and the votes being taken, it appeared that the Rev.
Ebenezer P. Sperry, was chosen. Sent down for concurrence.
Came up concurred.

The Superintendent of drains & sewers Common sewers
made reports of the costs of constructing common sewers in Washing. St. & 49th
low street, between the Lamb tavern and Boylston street. Also
in B street, and the apportionment upon the several persons whose
estates were benefited thereby. Read and thereupon ordered, that
said Superintendent make out the several bills and lodge them
with the City Treasurer for collection.

Aldermen Hayward and Gurney were County acc^{ts}
nominated and appointed a committee on County accounts.

The Superintendent of public lands made Public lands
a report of the sales of land the last quarter, which was
read & sent down.

The Dir. of Reformation made a report of the State of Reformation
that institution the last quarter ending 31st ult. Read & sent down.

Petition of the members of the
Baptist Ch. North Baptist Church, for the use of a room in the
Wells School house, on the Sabbath, for public worship.
Referred to the committee on public buildings.

Carlton

(Ordered, that there be paid to
William S. Carlton, the sum of nineteen hundred, sixty
four dollars and forty seven cents, in full for nine hun-
dred and six feet of land taken from his estate on Williams
Court to extend a new street leading from Court Street
to the old Court house, on the eastern side of the new
Court house, together with a wooden building used for a
grocery store, thereon standing; on his giving a good and
sufficient deed of the same, and releasing the City from
all damages.

Amesbury Int.
a. 742

(Ordered, that the account against the
town of Amesbury, for the support in the House of Correction
of Samuel W. Dickham, and Lydia, his wife, at sundry times
from second December, 1836, to 23 June 1838, be placed with
E. G. Austin, Counsellor at law, for collection, with instructions
to demand of said town payment of the same, amounting
to sixty five dollars & thirty six cents; to collect the same
by suit or otherwise, as soon as may be, and with power
to receive the payment of the same, and receipt therefor,
in the name of the City.

Wood measurer

Moses Hadley returns, that he measur-
ed the last year 558 cords of wood coming to Boston over the
Boston bridge, in the year 1838. Read & filed.

* The petition of John Breed, of No. 23.
City of Boston, stating, that the Eastern Rail Road Corporⁿ Breed
ation have within three years last past, laid out their
Rail Road upon and over the land of the applicant, situate Eastern Rail Road
upon Belle Isle; so called, within the City of Boston; and
have taken for their said road, and for materials to construct
the same, a tract or parcel of the said land of said ap-
plicant, containing as said Corporation say, two acres, fifteen
rods and fifteen yards; but whether the same be more or
less, the applicant is not otherwise informed. And said
Corporation have by the taking of said land, greatly damaged
said applicant, not only by the loss of so much of his
said land as is actually taken as aforesaid; but by divid-
ing his land and farm in a very inconvenient manner
so as greatly to increase the difficulty and expense of
cultivating and otherwise using and enjoying the same,
and greatly to diminish the value and profit thereof.
And also by interrupting the access to his wharf, thereby
destroying the value thereof; and otherwise diminishing and
inconveniencing the applicant in the use and value of his said
land and farm; for all which the said Corporation refuse
to make to this applicant any just compensation. Wherefore
the said Breed makes application to this board acting as
Commissioners as aforesaid to estimate his damages aforesaid accord-
ing to the form of the statute in such case made & provided.
The foregoing application was made to this board December 17.
1838, and remained among the unfinished business of the last
board, and was referred to the board of the present year. And
the parties appeared before the board on the sixteenth day of

* At a meeting of the
Mayor & Aldermen of the
City of Boston, acting as
Single Commissioners for the
County of Suffolk, on the
twenty eighth day of January,
A.D. 1839.

24. January instant, and were heard by their counsel, and several witnesses called by said applicant were examined under oath. And said case was further continued until the seventeenth day of the same month, when the hearing was resumed and the parties further heard, and after the examination of divers witnesses under oath called by the Respondents, the further consideration of the subject was postponed to the twenty second day of January instant, when the hearing of the parties was resumed, and two more witnesses called by the complainant were sworn and examined. And the hearing of the parties being closed, said John Breed, as principal, and Ebenezer Breed, and Franklin Dexter, as sureties entered into recognizance, in the penal sum of one thousand dollars, conditioned to save the County of Suffolk, from all costs and expenses which may arise by reason of said John Breed's application, and the proceedings thereon. And said case was further postponed to the twenty eighth day of January. And now after a full hearing of the parties and after viewing the premises, the examination of divers witnesses as before stated, and mature deliberation being thereon had, the board are of opinion, and do accordingly, adjudge and determine that the said John Breed recover against the said Corporation, the sum of one thousand dollars in full for such damages; and also that he recover against said Corporation, the costs taxed up.

24 appeals
into paper 25. 80

Dr. Thos. S. Hunk
Keeper.

(Orders of the Common Council) appoint-
ing, Reverend Physician, and Island Keeper, on its part,
Came up for concurrence? Read and laid upon
the table?

(Account of the City of Boston, a^g 25.
ainst the Commonwealth, for repairs of buildings on
Hainsford Island, amounting to nine hundred, eighty six,
dollars and fifty four cents. Read and passed, & thereupon
ordered, that the same be lodged in the office of the
Secretary of the Commonwealth.

(Communication from M. W. McChesney, Wooden paving
of New York, requesting to be engaged to construct wooden
pavement). Referred to the committee on paving.

(Application of Israel Potter for leave, Potter.
to remove his exhibition of Legende main, ventiloquism &c.
from the Artist's gallery to N^o 12 Blackstone street. Re-
ferred to the committee on licenses

Monday next, four o'clock P. M. was Officers
assigned for the choice of Overseers of the House of Correction
Superintendent of streets - Superintendent of Free bridges

(Ordered, that the Mayor, Aldermen Breed vs Eastern
Linnam and Quincy, be a committee to tax the costs that Rail Road
have been incurred by the board, acting as County Commis-
sioners in the case of John Breed vs. The Eastern Rail Road, for
proation.

(Adjourned) to Monday next, four o'clock, P. M.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the fourth day of February, A. D. 1839.

Present

The Mayor, & the whole board of Aldermen, except Alderman Gurney.

Streets
Superintendent
chosen

Agreeably to a signment, the Board proceeded by ballot to the choice of Superintendent of Streets, and the vote being taken, it appeared that Kephaniah Sampson was chosen. Sent down for concurrence. Came up concurred.

Free bridges.
Superintendents
chosen.

Agreeably to a signment, the Board proceeded by ballot to the choice of Superintendent of the free bridges leading to South Boston, & the vote being taken it appeared, that Samuel Perkins was chosen for the North & Royal River for the South. Sent down for concurrence. Came up concurred.

Measures of
Wood brought
by water.

The Board proceeded by ballot to the choice of Measures of wood & bark for fuel brought into the City by water, for sale, & the votes being taken it appeared that the following persons were chosen, viz.

Jonathan Thaxter	District	No. 1.
Harmon Barber	"	2.
Daniel A. Rogers	"	3.
John Paul	"	4.
Sent down for concurrence.		
Came up concurred.		

The Surveyor General of 27.

Lumber made his annual return of the lumber surveyed by his deputies. Read & filed. Surveyor General, return

Petition of David Ellis, pray. Ellis.

ing that the City would pay the amount of a check on the City bank, drawn by the City Treasurer for \$87.50 which check has been lost & mislaid. Referred to the Committee on finance, with full power. Sent down for concurrence. Came up concurred.

Petition of S. W. Robinson Robinson.

others, to the Legislature, to have Charles River bridge Charles river opened for travel, with the order of notice thereon. Referred Bridge. to Aldermen Wetmore, Tarnam & James Harris, to consider & report.

Petition of Nathan Hale, Hale.

President of the Boston & Worcester Rail Road, and Charlestown branch others, praying, that the City would immediately rem- Rail Road.burse against the petition of the Charlestown branch Rail Road Corporation, for leave to extend said Rail Road from its point of junction with the Boston & Lowell Rail Road to the Boston & Worcester Rail Road, now pending before the Legislature. Read & referred to the Mayor. Aldermen Tarnam & Isaac Harris, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred & the Common Council joined in its

28. *John. Mayne. Isaac Parker, Amory. M. Williams. L. L. Raymond & Hutchins.*

Engine No. 11.

Engine Company No. 11. praying that certain members may be discharged for neglect of duty. Referred to the committee on the fire department.

Gas Lamps.

The Committee on Lamps made a report in relation to the expediency, & relative expense of lighting the streets with gas as a substitute for oil. Read, laid on the table, & ordered to be printed.

Solty place.

Engine.

Petition of Mrs. Solty place, & others, for an additional Engine at East Boston. Referred to the Committee on the fire department.

Wells

Washington Street.

Petition of William Wells & others to be relieved from the payment of any part of the cost of constructing a common sewer in Washington Street, between West & Boston Streets in the year 1833. Referred to the committee on Drains & Sewers. Alderman Maynard was excused from serving on said committee at his own request, & Alderman James Harris was appointed in his stead.

Anne

Street.

Reconsidered and
post pages.

Resolved, That the safety & convenience of the Inhabitants require that Anne Street be widened at number 183 in said street. Therefore ordered that Anne Street be widened as follows, viz. Beginning at the westerly corner of

Land belonging to Nicholas Lound, from Thence 29.
running southerly five feet; then running easter-
ly parallel with the present line of said Anne
Street twenty five feet six inches more or less to a
passage way. then running northwesterly to the North
easterly corner of land of said Nicholas Lound
then running westerly by the present line of said
Street twenty two feet six inches more or less to the place
of beginning, taking from said land one hundred and
twenty square feet of land as marked in a plan drawn
by S. T. Fuller dated December 1826.

Ordered. That there be paid Fuller's
to the heirs of the late Benjamin Fuller, deceased, the heirs.
sum of fifteen dollars, in addition to thirty five dol. Hanover St.
tax, ordered to be paid to said heirs, on the eighth of
January 1838, in all fifty dollars, in full for twenty
five feet of land taken from their estate to widen
Hanover Street on their giving a good & sufficient
deed of the same, & releasing the City from all dam-
ages sustained by themselves & the tenants who occ-
upied the premises.

The Superintendent of Drains & Common
& sewers made reports of the costs of constructing
common sewers in Warren, Washington, Tremont
& North Brunett Streets, & the assessments upon
the several persons whose estates have been bene-
fitted thereby. Read & passed & thereupon ord-
ered. That said Superintendent make out the

30 several bills & Vouchers shown with the City Treasurer
for collection.

House of Correction
accounts.

Accounts of the Overseers of the
House of Correction, from November 1. 1838 to January
31. 1839. inclusive referred to the Committee on Coun-
ty accounts.

Fitch.

Chauncy Place bell.

The Committee on the peti-
tion of Jonas Fitch, & others, to have bells rung
on the alarm of fire, reported that it is inexpedi-
ent that the bell of the Church in Chauncy Place
should be rung as an alarm bell for fires, & the
ringing of that of the Church at the junction of
Summer & Bedford streets, be dispensed with.
Read & accepted.

Potter.

The Committee on Licenses
reported, that Isaac Potter have leave to remove
his exhibition from the Artists' gallery to No. 12
Blackstone Street. Read & accepted.

Quarterly reports
City officers.

Quarterly reports of the Au-
ditor of Accounts, Superintendent of Burial grounds
& Hay weigher of the northern scales of the
moneys recd. by them respectively & paid into
the City Treasury to the first instant. Read
& sent down.

Hospital
for Insane
& Idiots.

Ordered, that the Committee
on the Jail, House of Correction, Industry & Respon-
sion, with such as the Common Council may join

be a committee to consider & report a system for the 31.
organization & government of the hospital for the
insane & idiots. Fully erected at South Boston.
& then on applying to the Legislature for an ab-
atement of the limits of the House of Correction,
so as to include said hospital. Sent down for
concurrence. Came up concurred & the Com-
mon Council joined on its part the Commit-
tee on the Houses of Industry, Correction and
Reformation.

Adjourned to Monday next.
four O'Clock, p. m.

A meeting of the Board of
Aldermen of the City of Boston, held at City
Hall, on Monday, the eleventh day of February, A.
1839.

Present.

The Mayor, & the whole Board of Aldermen.

The Committee on County House of
accounts to whom was referred the accounts of Correction,
the House of Correction, reported that they had
examined the same & found them well vouched
& correctly cast. Read & Accepted.

Stonewall
Stair Road. Petition of the Boston & Low-
 ell Rail Road Corporation, praying that they may be
 authorized to continue a track from the present ter-
 mination of their road in Boston through & across
 Causeway & other streets as far as the City's wharf,
 formerly called Brown's wharf, lying eastward of
 Charlestown bridge. Referred to the Committee
 on Streets.

Smith
East Street. Petition of Charles L.
 Smith, to have the pump in East Street near
 the School House removed. Referred to the Com-
 mittee on paving.

Stocker
School house in
Ward 3. Order of the Common Coun-
 cil, instructing the Committee to whom was ref-
 erred the petition of William Stocker, & oth-
 ers, for the erection of a grammar School in
 Ward No. 3, to report forthwith on the subject,
 & also to report a plan for said School
 house. Came up for concurrence. Came up
 concurred.

Jackson.
Charlestown branch
Rail Road. The Joint Committee to
 whom was referred the memorial of Francis Jack-
 son & others praying the City Government to
 remonstrate to the Legislature against grant-
 ing leave for building a branch rail. road from
 Charlestown to the Worcester rail-road, have consid-
 ered the subject & ask leave to report, that while
 they entertain high respect for the memorialists,
 & for the spirit of enterprise they have manifested,

in their undertakings in which public benefit is 33.
combined with private advantage. They are induced to hesitate as to the propriety of acceding to the prayer of the memorial by the following considerations. It will not be denied that all means of intercourse between places of business must be considered as public benefits, being advantageous to one place directly, & to another indirectly; & the business which flows to a new depot is often an actual increase rather than a diversion of any important amount from a more ancient & accustomed route. The difference between the direct advantage to the City of having the whole of the business of the Western Rail Road concentrated in South Cove, & the indirect benefit of having a part of it in Charleston, if the project of a branch rail-road should succeed, does not appear to the Committee of magnitude enough to justify the city government in remonstrating against what is desired by their neighbors. But the Committee cannot persuade themselves that there is reasonable ground to apprehend that any considerable amount of business would be so diverted; and they are therefore inclined to think it a matter of small moment not merely to the City at large, but to the South Cove Corporation itself. A third reason for declining to interfere is, that if the general opinion of

34. The benefit to be derived from the completion of the Western Rail Road is in the slightest degree justified. The business attracted to this vicinity will be enough & more than enough for all the accommodations of the South Cove & of Charlestown likewise. With these views the Committee deem it inexpedient to remonstrate on the subject, & ask to be discharged. For the Committee. Sam^l A. Eliot.
Read & accepted. Put down for concurrence.
Carried up concurred.

Lamps.

The Committee on Lamps, on entering upon the duties assigned them, asked leave to submit the result of sundry inquiries into the expediency & relative expense of lighting the streets with gas as a substitute for oil. The estimates which follow are based upon the expense incurred during the quarter ending the 31st day of December last, including oil, gas, lighting, & repairs of lamps, lamp posts, fixtures & ladders. The City have a contract for a supply of winter oil, at the rate of 98 cents per gallon, which will terminate on the first day of May next, also, a contract for a supply of gas, which will expire on the first day of July next, at the rate of 4 mills per foot. This contract may be renewed for any reasonable quantity of gas, upon the same, or perhaps more favorable terms. The expense of constructing and erecting gas posts, lanterns & fixtures complete for lighting, averages about \$30. for each post.

35.
The whole number of Lamps now lighted with oil at the
expense of the City, is 1,220 estimating the oil at 98 cents
per gallon, the cost of oil will be \$8,722 per annum,
or \$7.15 per lamp, the lighting the same by the pres-
ent arrangement will cost \$11,782.44 per annum,
or \$3.92 each; & assuming the expense of the last
quarter as the basis, the cost of repairs will amo-
unt to \$765.32 per annum, making an aggre-
gate of \$14,209.76 per annum, for 1,220 oil
lamps, or \$11.68 each. The whole number of gas
lamps now lighted at the expense of the City,
is 180. (not including 3 or 4 recently erected) at a
cost of \$2,097 per annum for gas, or \$11.65
each, & the cost of lighting \$705.60 or \$3.92 each,
and estimating the repairs by the bills of the last
quarter, the expense will amount to \$300 per
annum, producing an aggregate expense of
\$3,102.60 per annum for 180 gas lamps, or \$17.23
each; & the total expense of lighting the streets
including oil, gas & repairs, predicated the
cost on the bills of the last quarter, will amount
to \$17,372.36 per annum. The number of oil
lamps now lighted at the expense of the City
being 1,220, at a cost of \$14,209.76 per an-
num, if it be admitted that one Lamp lighted
with gas affords as much as two lighted with oil,
the result will be, that by substituting 60 gas
lamps at a cost of \$10,514.36, instead of 1,220
oil lamps, which cost \$14,209.76 per annum.

36. a pecuniary net saving will be made of \$ 3. \$95.40 per annum. & in the same proportion for a less number. If the foregoing calculations be accurate, & the Committee have no doubt that they are substantially correct, it will be seen that by substituting gas for oil in all the streets where oil is now used, a net saving will be made sufficient to defray the expense of erecting 100 gas lamps per annum, with fixtures complete for lighting, without increasing the expenditure beyond that of last year. for 1.220 oil, & 180 gas lamps; so that in six years the City would be lighted with gas instead of oil, without augmenting the present expense, & at the same time the convenience & comfort of the Inhabitants will be greatly promoted by the substitution of a more brilliant, soft & pleasant light. Entertaining these views, the Committee unanimously recommend to the City Council to make a liberal appropriation for the further extension of gas for lighting the streets the ensuing year. all which is respectfully submitted. For the Committee.
Nathan Gurney. Read & Accepted. Put down for concurrence.

Common
Sewer

The Superintendent of common sewers made a report of the cost of constructing a common sewer in Salem Street, in 1835, & the apportionment upon those whose estates were benefited, by the same. Read & passed, & thereupon,

ordered, that said Superintendent make out 37.
the several bills & lodge them with the City
Treasurer for collection.

The Committee to whom North Baptist
was referred the petition of the North Baptist Church, Church.
for the use of the Wells School house, for publick
worship & a Sabbath School, reported, that in
their opinion the prayer of the within petition ought
to be granted, & recommend the adoption of the follo-
wing order. For the Committee. Sam^l. A. Eliot.
Ordered. That the use of a room in the Wells School
House on Sundays, during the Day time, be granted
to the North Baptist Church, on the same condi-
tions on which it was recently allowed to the Metho-
dist Society. Read & Accepted.

The Committee on the Engine
Fire Department to whom was referred the communica-
tion of the fireman of Engine Company No. 11. re-
questing the Board to discharge five members of
said Company, reported, that they inquired into the
subject, & have ascertained that a considerable disc-
ussion has arisen in that company, which has
proceeded to such an extent that it seems hard-
ly probable that the differences will be heal-
ed. They therefore recommend that the entire com-
pany be disbanded after the 28th day of Febru-
ary inst. & a new one be formed for that en-
gine. For the Committee Sam^l. A. Eliot.
Read & Accepted. ~~That when the Board~~

Shipley
School houses.

On the petition of J. G.

Shipley, & others, praying that some alteration may be made in the seats of the School houses for females. Ordered, that said petition be referred to the Joint Committee on public buildings. Sent down for Concurrence. Came up concurred.

Jackson
Engine house.

The Committee on the fire department to whom was referred the petition of George Jackson, & others, praying that an Engine house may be erected near Blackstone square. Reported that in their opinion it is expedient that an engine should be stored in the vicinity where it is desired. They therefore recommend the passage of the following order. For the Committee Saml. A. Eliot.

Ordered, That the Committee on the Fire Department be authorized & instructed to cause a small engine house to be erected on a vacant lot in the vicinity of Oldham or Canton streets, provided the expense thereof shall not exceed the sum of three hundred dollars, & place one of the engines not in commission in said house. Read & Accepted.

Field

Ordered, that there be paid to Warren H. Field, the sum of fifty nine dollars & sixteen cents in full for damages sustained by him in taking a part of a house & store to widen Washington street, near the

Washington Hotel; said house & store is owned by Mr. 39.
Liam F. Otis, Esq. & is occupied by said Fielder, as
a tenant, on his releasing the City from all dam-
ages.

Agreeably to a signment, the Surveyor General
Board, proceeded by ballot to the choice of Sur. of Lumber.
Surveyor General of Lumber, & the votes being
taken, it appeared that George W. Otis was
chosen. Sent down for concurrence. Came up
concurred.

Doctor Jerome P. C. Resident
Smith, was nominated & appointed Resid. Physician,
ent Physician, at Wainsford Island. And
John Minot. Island Keeper.

The Committee on Green &
streets, reported and voted in addition to the Snelling,
one heretofore passed to pay William
Green & Enoch W. Snelling for taking their
land to widen Snow Hill street, reported
the following order. Ordered, that there be
paid to William Green & Enoch W. Snelling
the sum of \$199. in addition to \$460.25 which
was ordered to be paid to them on the 24th of
December 1838 in all \$659.25 in full for 293
feet of land taken from their estates to widen
Snow Hill Street on their giving a good and
sufficient deed of the same & releasing the City
from all damage. Read & accepted.

40.

Wilton.

Auctioneer's rule
on granting license

The Board reconsidered its former vote granting a license to John T. Wilton, & thereupon ordered, that this Board will not grant a license to any person as an auctioneer who is a dealer in second hand clothing.

Adjourned to Monday next,
four o'clock P. M.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the eighteenth day of February A. 1839.

Present.

The Mayor, & the whole Board of Aldermen.

Common Sewer.

The Superintendent of Common Sewers made a report of the cost of constructing the Common Sewer in Carver Street, in 1835, and the apportionment upon the several persons whose estates were benefitted thereby. Read & passed, & thereupon ordered, that said Superintendent make out the several Bills & lodge them with the City Treasurer for collection.

Deputy
City Marshal.

The joint Committee who were appointed to consider the expediency of establishing the office of Deputy City Marshal,

reported, that in their opinion, that the same 111
ought not to be abolished. Accepted in Common
Council. Came up for concurrence. Read and
concurred.

The Committee of both Boards 'Hospital for
the Jail, Houses of Correction, Industry & Reformation Insane & Idiots,
tion, who were instructed to report "a system for the
organization & government for the Hospital for
the Insane & Idiots, lately erected at South
Boston, also one applying to the Legislature for
an alteration of the limits of the House of Cor-
rection so as to include said "Hospital" have
attended to that duty & ask leave to report. That
as the Hospital is an institution of a very
different character from either of those now
belonging to the City at South Boston, the sys-
tem under which it may be managed may
be more simple. The Physician as in other
Hospitals of the kind, should have both the
responsibility & the power in all which relates
to the medical treatment of the patients, and
should therefore have the appointment of all
the attendants which may be necessary in pri-
or that they may be under his control. The
expenses of the house should be paid & all
purchases made by a Steward, who like
the Physician should be chosen by the
City Council & whose accounts should be
examined quarterly, or oftener if desired.

42. By a committee of the Council. The same committee should be required to visit the House, by at least one of their members, once in each week & to report directly to the Council whatever may appear to them to need alteration. They would be the organ of the City Council in carrying its ordinances into effect, & would supersede the necessity of establishing a separate Board of Directors. They should be required to report quarterly or oftener. The Committee report herewith a draft of an act empowering the courts who are now authorized to send Lunatics to the House of Correction, to place them in this Hospital. This being thought upon consideration, to be a better mode of obtaining the object. Than including the Hospital within the precincts of the House of Correction. They also avail themselves of this opportunity to suggest to the Council the importance of making early arrangements for the choice of a Physician, who might not only preside over the Hospital, but have charge of the medical department in all the other Houses on the public lands, if such an arrangement should be thought advisable. They recommend the adoption of the following order. For the Committee. *Sau? A. Eliot.* Ordered, That the Mayor be instructed, to apply to the Legislature, in behalf of the City, for the passage of an act, which shall authorize the sending of Lunatics & idiots to the Hospital erec-

ted for them by the City, instead of the House of A.B.
Correction. Read & Accepted. Sent down for con-
currence. Came up Concurred with an amendment.
Read & non concurred.

The Committee to whom Sticker
was referred the petition of William Sticker & School house
others, for the erection of a School House in Ward No. 3.
Ward No. 3. who were instructed to report forth-
with on the subject, & also to report a plan
for said School House, have attended to the Cou-
ty & report. That various petitions for the same
object were presented to the City Council last
year, & were favourably regarded at that time.
It was suggested to use the lot of land belong-
ing to the City on Cooper Street, now occup-
ied by a gun house, for this purpose. but
as the City incurred a large expense the last
year by erecting a new school house at
East Boston, & rebuilding the Eliot school
house in Bennet Street, it was deemed expe-
dient to defer to this year the erection of the one
proposed in Ward 3. & the subject was referred
to the early attention of the Council of this year,
and a recommendation was made that a suff-
icient sum should be provided for it in the
next appropriation bill. Under these circum-
stances the Committee supposed that all was done,
in relation to those petitions, which could be
done before the appropriation bill for the

44. next financial year should be before the Council. In the mean while, however, the school committee have appointed a sub committee to prepare an improved plan of a school house to be by them recommended to the City Council. That Committee reported, a plan on Tuesday last, which was laid on the table to give the whole board an opportunity to examine it. Your Committee, therefore request the Council to allow them to delay reporting a plan of a School House for Ward 3, till such time as will enable them to examine that which may be recommended by the School Committee. They subjoin two resolutions expressing the opinion of the present council upon the subject, which they believe to be, all which is immediately necessary. For the Committee. Saml A. Eliot.

Resolved. That it is expedient to erect a school house in Ward 3. during the present year.

Resolved. That it is expedient to provide a sufficient sum for such school house in the appropriation, bill for the next financial year.

Accepted in Common Council, & the resolves passed. Came up for concurrence. Read & Concurred.

Ward & Burke.

Order of the Common Council appointing Messrs. Wilkins, Snow & Thompson with such as the board of Alders

men might join, a committee to consider & report, what if
her any alteration ought to be made in the ordinance
passed 22 December 1834. entitled an ordinance
to regulate the sale & measurement of wood & bark
for fuel brought into the City by water, & that the
said Committee have leave to report by ordinance
or otherwise. Came up for concurrence. Read and
concurred, & Aldermen Quincy & Isaac Harris
were joined.

Resolved, That the safety & convenience of the Inhabitants require that Temple Street be widened on the east side. Therefore ordered that the same is hereby wide-
ned by taking a piece of land from the estate of James Page, as follows, viz. Beginning at the north westerly corner of a brick house belonging to Lot Pool, from thence running northerly by a straight line to the southwesterly corner of a brick house belonging to the heirs of John Baxter about twenty five feet, then running westerly three feet, then running southerly by the present line of said Temple street twenty five feet, then running easterly to the place of beginning three feet more or less taking from James Page 75 square feet of land.

Petition of J. M. Fisher
er, & another to be heard respecting a petition
made upon them for a common sewer
in Clark street. Referred to the Committee

116. on drains & sewers.

Tose
Washington street & others, to be relieved from the apportionments made upon them for a common sewer in Washington street, from the South Corner to Boylston Street.
Referred to the Committee on Drains & Sewers.

Alger
Rail Road to
South Boston.
Petition of Cyrus Alger, &
others to the Legislature, with the order of Notice thereon, praying leave to construct a rail road from some point near the termination of the Worcester rail road in Boston, by the South Cove, to some convenient place in South Boston, easterly of Turnpike street & southerly of Second street. Referred to the Mayor, Aldermen Barnum & James Harris.

Engine No. 11.
Petitions of Carlisle Brown, & others, & William Waters, & others, for leave to take charge of Engine No. 11. Referred to the Committee on the Fire Department.

Baker
Washington street.
Ordered, that there be paid to Wend Baker, the sum of Three hundred seventy three and no dollars, in full for all carriages sustained by him, in taking a part of a paint shop occupied by him as a tenant, situated at the corner of Beach & Washington streets, to wica Washington street, on his releasing the City from all damages.

Ordered, that the Committee 47.

our streets with such as the Common Council may Streets. Rail
join, be a Committee to consider & report on the expedi- Road tracks
ency of requesting the Mayor to apply to the
Legislature for permission to use the streets of the
City for Rail Road tracks. Sent down for con-
currence. Came up concurred, & the Common Coun-
cil joined on its part. Messrs. Wells, E. Will-
iams, Dodd, Amory & Parrott.

Resolved, that the gas Lamps
Lamps should be permitted to be lighted at
the same hour & continued without the exting-
uishment of any portion of them while it is nec-
essary for any part to be lighted, & that it
is expedient that said Lamps should be light-
ed when the moon is obscured by storm. Passd
in Common Council. Came up for concurre-
nce. Read & referred to the Committee
on Lamps.

Adjourned to Monday next, four
O'clock, p.m.

At a Special meeting of the
Board of Aldermen of the City of Boston, held at City
Hall, on Thursday, the twenty first day of February
A. 1839. Present.

The Mayor, Aldermen Farnam, Wetmore, Hunt-
ing, Quincy, Isaac Harris & James Harris.

Tan Kerkis.

Petition of Henry Tan Kerkis
to the Legislature praying leave to erect a dam
across Mill Creek, so called, in the south part
of the town of Malden, at or near the former
site of the old mill for the purpose of erecting
a like mill, for grinding sawing & for other
purposes, & the order of notice thereon. Also
the report of James F. Baldwin, who was ap-
pointed to view the premises, giving his opinion
as to the effect of the same upon the tide waters
of the harbour of Boston. Read & thereupon
ordered, that the Mayor be requested to re-
monstrate against the granting the prayer
of said petition.

Trull.

Petition of John W. Trull,
to the Legislature praying leave to extend his
wharf, further out into the channel, & the order
of notice thereon. Read & thereupon ordered,
that the Mayor be requested to remonstrate
against the same, & any other petition for
the extension of the wharves beyond the lines
as recommended by the Commissioners app.

ointed to survey the harbour of Boston.

49.

Application of John Ridgway.
Ridgway for leave to take charge of the Clock
in the Church of the West Boston society. Referred
to the Committee on lamps, bells & clocks.

Petition of Job Taber, Taber.
& others to be relieved from the payment of assessments
made upon them for the common sewer
constructed in Gough Street in the year
1835. Referred to the Committee on drains
& sewers.

Communication from the House of
Directors of the House of Reformation, in relation
to the expenditures of said House, as stated in
the 25th annual report, as made by the City
Auditor. Read & referred to Alderman Barnard,
Quincy & Hunting with such as the Common Council
may join to consider & report. Sent down
for concurrence. Came up concurred & the Com-
mon Council joined on its part. The standing
Committee on the Houses of Industry,
Correction & Reformation.

Ordered, that there be Page
paid to James Page, the sum of one hundred Simple
red & seventy dollars, in full for seventy five Street
feet of land taken from his estate to widen

50. Temple street, on the east side, on his giving a good & sufficient bond of the same, & releasing the City from all damages.

Adjourned.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty-fifth day of February A.D. 1839.

Present.

The Mayor, & the whole Board of Aldermen, except Alderman Gurney.

Captain of Watch
& Sup. of Lamps.

Travel Case was nominated & appointed Captain of the Watch and Superintendent of Lamps.

Whitman &
Nichols

Petition of Whitman and Nichols, praying to be remunerated the damage they sustained, in consequence of having two wooden buildings pulled down by order of the Engineers of the fire Department on the 24th of January last, said buildings were situated on, Endicott Street, & were removed for the purpose of preventing the fire which then raged from crossing said street, & the fire was stopped at that place. Read & referred in Common Council, to Messrs. Chapman, Haughton & Gordon

with such as the board of Aldermen might join, 51.
to consider & report. Came up for concurrence.
Read & concurred, & the Committee on the Fire
Department was joined.

The Committee on streets Watson &
to whom was referred certain executions against the Thayer.
City in favor of Amasa Watson. Rufus Thayer and
Esther Thayer for damages to their estates in consequen-
ce of extending North Market Street, reported the
following order providing for the payment of the
same. Ordered: That the sum of ten thousand
dollars be & the same is hereby added to the ap-
propriation for widening & extending streets.
And that the City Treasurer be & he is hereby
authorized to borrow under direction of the
Committee of Finance a sum of money not ex-
ceeding ten thousand dollars, to meet the afore-
said additional appropriation. Read &
referred to the Committee on Finance, to
consider & report. Put over for concurren-
ce. Came up concurred.

The annual account 'House of'
of the Overseers of the House of Correction, of Correction.
the receipts & expenditures of that institution.
Read & sent (Corre.)

Jacob Herrick wood measurer
measurer returned that he measured the return.
last year 194 Loads of Wood, which came

52. Through South Boston. Read & filed.

Reg^y of deeds
& probate.

Order of the Common Council instructing the committee on the City Hall, to consider the expediency of proceeding forthwith to erect a suitable fire proof building for the use of the Probate & Registry of deeds offices, & to report to the City Council the estimates of the expense, together with a plan of the proposed building, if it should be considered necessary to proceed. Came up for concurrence. Read & concurred.

Waters
Engine Co. No. 11.

The Committee on the Fire Department to whom was referred the petition of William Waters, & others, to be admitted Engine men to take charge of Engine No. 11 reported that they be accepted. Read & accepted, & they were appointed accordingly.

Wainsford
Island.

The Committee on Ex-ternal Health, respecting the care of Wainsford Island, & the charges against the Commonwealth, for the cost of the same, reported as follows, viz. That the annual account of the City against the Commonwealth, for the repairs of public buildings, belonging to the State on Wainsford Island, has again been disallowed, by the State.

Treasurer, & payment refused, & that the amount due on the said account this year, together with what was unpaid the last year, is nearly one thousand dollars. The reason assigned by the Treasurer for his refusal to settle & pay this account, is, that he has been unable to find any resolve or law of the general Court, which expressly authorizes him to do so. The Board will recollect that ever since the purchase of Rainsford Island, by the Province in 1736, it has been the property of the State & together with the Hospitals & other buildings thereon has always been kept in repair at the expense of the State, until the last year, when, the amount not being rendered in season, was disallowed. And the account has ^{also been} always paid by the Treasurer, without any specific Resolves of the Legislature, for that purpose. That these expenses are justly chargeable to the Commonwealth & ought to be paid by it, we think very evident from the fact that the Hospital establishment on the Island was erected & is maintained for the benefit of the whole State, & is & always has been, a receptacle for persons arriving by sea, at any of the neighboring towns, so that the use of it has never been in ef-

53.

54. ~~and~~ to the City exclusively. and so aware have
the State authorities heretofore been of the
propriety of this claim. That not only have
the expenses of repairs been attended by them,
but likewise it appears, that, for many years,
the whole salary of the Island Keeper was
paid from the State Treasury, and indeed
a part of it until the last year. By a
Resolve passed in 1738. the Selectmen
were authorized to appoint a Keeper & est-
ablish his duties, & under it they fixed
the salary & directed it to be paid out of
the Treasury of the Province, which was
accordingly done. & they continued to exer-
cise this power until the establishment
of the board of Health in 1816. where the
care of the Island was transferred to that
board with the same duties & powers as had
previously belonged to the Selectmen. subseq-
uently, by the provisions of the Revised Statutes,
the Island & all the property there were pla-
ced under the sole care of the Mayor & Aldermen
of Boston, with power to appoint all necessary
officers & fix their compensation. It was also made
their duty to make a yearly return, of the state
of the property & of all money expended thereon,
which return has been regularly made. The
Committee are therefore of opinion that this
claim of the City is a perfectly just one, which

or considered as derived from a usage so long 55
established, or from the provisions of the Revised
Statutes, requiring the amount of expenses
to be returned to the State Treasury or
from the fact that the Island & buildings are
the property of the State & the Hospital, is
maintained for its common use & benefit. In
order however now to obtain payment of these
claims, it has become necessary to apply to
the Legislature for the passage of a law,
& the Committee accordingly recommend such
an application, & they would further sug-
gest, that, in case the Legislature should
not deem it expedient to allow these charges,
which however they do not anticipate, it may
be expedient for the City Council to consider
the expediency of surrendering the Island
to the Commonwealth. & they accordingly
offer the following order. For the Committee
The. Wetmore. Ordered, That the Mayor
or be requested to apply to the General Court
for the enactment of a law, prescribing the mode
of auditing & settling the demands which the City
of Boston now has or may hereafter have aga-
inst the Commonwealth on account of Rains-
ford Island. Read, accepted & the order
passed.

Petition of Pelham Ben Boney
may. for leave to construct arches under the

56. side walk corner of Prince & Salem streets. Referred to the Committee on paving.

Olis
Liberty Square.

Petition of William T.

Olis. agent for the Liberty Square Warehouse Company to have some alteration in the paving of Milk street, so as to turn off the water from their premises. Referred to the Committee on paving.

Tisher
Clark Street.

The Committee on drains

answers to whom was referred the petition of J & A. Tisher & others, respecting an assessment made upon them for a common sewer in Clark Street reported, that they have heard said petitioners & are of opinion, that the assessment referred to ought to be revised, & the amount ^{be} assessed on all persons benefited by said drain.

Read & Accepted.

Adjourned to Monday next: four
O'Clock p.m.

At a meeting of the Board 57.
of Aldermen of the City of Boston, held at City
Hall, on Monday, the fourth day of March, A.
1839.

Present

The Mayor, and the whole Board of Alder-
men, except Alderman Gurney.

The Committee to whom was Wail Road
referred an order to consider & report, upon the expedi- tracks
ency of requesting the Mayor to apply to the Leg-
islature for permission to use the streets of the City
for Wail Road tracks, reported the following
order for that purpose. Ordered, That the
Mayor be requested to apply to the Legislature
for an act authorizing the Mayor & Alder-
men to grant permission to any persons to place
Wail Road tracks in any of the streets of the City
upon such conditions & restrictions as the said May-
or & Aldermen may deem proper. Read & Ac-
cepted. Sent Com^{rs} for concurrence. Came up con-
curred with the following amendments. By strik-
ing out after ^{the words} "authorizing the" & also after the
word "said" the words "Mayor & Aldermen" &
by substituting therefor the words "Surveyors of
Highways." Read & concurred.

Petitions of John Tap Tappan, Nelson
Spaw, & others, & E. H. Robbins, & others to have Milk Street
Milk Street widened. Referred to the Com-

55 mittie on streets.

Chicor

Sydney School. rec. for the use of a room in the Sydney School house, on Wednesday & Saturday afternoons, for the purpose of teaching drawing. Resolved to the Committee on public buildings on the part of this board.

Essex Street.

The Committee on Streets, to whom was referred the notice from Hazen J. Burton, that he is about to take down the old wooden buildings owned by him on Essex street, corner of Peck's lane, & rebuild with brick, & requesting to know if any alteration is to be made in the width of said street, have examined said premises & ask leave to report, That a strip of land is required from said estate to widen Essex street, conformable to a plan heretofore adopted by this board. The Committee therefore submit the following resolve & order for the purpose. For the Committee, Henry Tarnam.

Resolved, That the safety and convenience of the Inhabitants require that Essex street be widened on the South side of the same near Peck's lane. Therefore Ordered that the same is hereby widened as follows, viz. Beginning at the intersection of the southerly line of Essex street with the westerly line of Peck's lane from thence running southerly six feet three inches to a point forty feet distant

from the Southeast corner of the Church Stan- 59.
ding on the opposite side of said street, then
running easterly by a straight line fifty feet,
to land of the Heirs of Ebenezer Oliver, dec-
ceased, then running northerly seven feet
four inches, to the present line of said Es-
sex street, then running westerly forty eight
feet ten inches to the place of beginning, ta-
king from land of Wm. J. Burton 333½
square feet of land as marked on a plan
drawn by S. L. Fuller dated June 4th 1833.
Read, accepted & the resolve & order passed.

The Committee on the pet- Bonney
ition of Setham Bonney for leave to const-
ruct arches under the side walk reported,
That the prayer of the petitioner ought to be
granted, on condition, that the work be done
at the expense of the petitioner, & to the sat-
isfaction of the Committee on paving, remove-
able at the pleasure of this board. Read
& accepted.

Petition of Levi Bliss. Bliss
to be paid for land taken to widen Broad Broad Street.
street. Referred to the Committee on streets.

Communication from Will. Minot-
saw Minot, respecting taking a part of a Wrentham Street.
lot of land & building to widen Broad street.

60. The estate being held by him & Henry B. Rogers,
as trustees. Referred to the Committee on Streets.

City Solicitor:

Ordered. That Aldermen
Netmore & Huntington, with such as the Common
Council may join, be a Committee to consider &
report whether it is expedient to make any al-
teration in the ordinance providing for the app-
ointment & prescribing the duties of an attorney
& Solicitor for the City. Sent Corn for Con-
currence. Came up Concurred with this amende-
ment. By adding in continuation thereof these
words: " & that said Committee report the aggre-
gate amount paid by the City for professional
services during the last five years." and
the Common Council joined on its part Messrs
Chapman, Shipley & Brooks. Read & Con-
curred.

Superintendent

The Committee on Burial
Grounds, grounds ask leave to state that the Superintend-
ent of Burial Grounds has been engaged for
the last three or four months in the extra labor
of making two new books, one for an index of
the deaths within the City for the last twenty
eight years. The other for the bills of mortal-
ity collected from 1810 to 1838 inclusive. These
are now handsomely completed in alphabet-
ical order & are very convenient for all persons
desiring to ascertain these facts. The Com-

mittee deem it proper that some extra compensation should be allowed for this extra labour, & recommend the passage of the following order for the purpose. for the Committee. Henry Sarnam. Ordered. That there be allowed to the Superintendent of Burial Grounds, the sum of one hundred & fifty Dollars for extra services in preparing the new books for that Department & the same be charged to the appropriation for Incidental expenses & Miscellaneous claims. Read. Accepted & the order passed. Sent down for concurrence. Came up Concurred.

Ordered. That the May Fireworks or, Aldermen Sarnam & Gurney with such as the Common Council may join be a Committee, with authority to engage some suitable person to exhibit fire works on the evening of the fourth of July next; provided the expence shall not exceed the sum of thirteen hundred Dollars. Sent down for concurrence. Came up Concurred. & the Common Council joined on its part. Messrs. Gordon, Baker & Brackett.

John Paul, returned word measuring that he measured the last year 1412 cords of wood. returned. cords of wood. brought to the City by ma-

62 12. & 15 loads brought by land, & William Shat-
tuck, that he measured 234 loads of wood brought
by land. Read & filed.

Tyler.

The Committee on the peti-
tion of Henry Tyler to be licensed as an Auc-
tioneer, reported, that the petitioner is a deal-
er in second hand clothing & therefore caused
to be licensed, as an Auctioneer, pursuant to an or-
der of the board. Read & accepted.

Holton & Thayer.

The Committee on Finance,
to whom was referred the report of the Commit-
tee on streets, respecting the claims of Amasa
Holton, Rufus Thayer & Esther Thayer, who
have obtained executions against the City,
for damage in taking their land for the exten-
sion of North Market street, reported, the
following order, vizt. Ordered, That the sum of
ten thousand dollars, be & the same is hereby
added to the appropriation for widening and
extending streets; & that the City Treasurer be,
& he is hereby authorized to borrow under direc-
tion of the Committee of Finance, a sum of
money, not exceeding ten thousand dollars, to meet
the aforesaid additional appropriation. Upon
the passing the foregoing order, The following
members voted in the affirmative. Vt. Ald-
ermen Tarnan, Wetmore, Hayward, Hunting,
Quincy, Isaac Harris. 7- nays. none
sent down for concurrence. Came up concurred.

Ordered, that the Com. 13.

mittee on the fire department be instructed to Engine house
consider & report upon the expediency of Water Street.
assigning a lease of the Engine house on
Water Street, for the remainder of the term
therein specified. The assignee agreeing to
perform all the conditions, & paying the
rent reserved in the same manner as the
City is now bound.

Ordered, that Alders Hospital
men Wetmore, Quincy & James Harris, be for lunatics & idiots
a Committee to confer with such Commit-
tee as the Common Council may join,
on its part, relative to the subject matter
of difference between the two boards on the
report of the Committee on the Jail, House
of Correction, Industry & Reformation, who
reported an order instructing the Mayor
to apply to the Legislature, in behalf of
the City, for the passage of an act, which
shall authorize the sending of Lunatics
& idiots to the Hospital erected for them by
the City, instead of the House of Correction.
Sent down for concurrence. Came up. Concur-
red, & the Common Council appointed on
its part, Messrs. Isaac Parker, Grant &
Dodd.

Adjourned to Monday next,
four o'clock p.m.

At a meeting of the Board of Aldermen of the City of Boston. held at City Hall, on Monday, the eleventh day of March A. 1839.

Present.

The Mayor, & the whole Board of Aldermen, except Alderman Gurney.

Way weighers.

John W. Bradford was nominated & appointed Way weigher at the Northern scales & Ebenezer Clough at the southern.

Common Council

seats of vacated. etc from the Common Council, declaring Warrants for Ward Meeting
 That Messrs N. Poyes, J. L. C. Quice, & George Sage, returned as members from Ward No. 12, to said Council were not duly elected, & are not entitled to their seats. Read & thereupon ordered, that a warrant be issued for a new election in said ward on Monday next, at 12 O'Clock M. for three members of the Common Council, & to fill all vacancies which may exist in said ward. The year to be kept open until four O'Clock, p.m.

Commissioner for House

Industry, Corr. Council, instructing the standing Commission & Reformation, the in the Houses of Industry, Correction & Reformation, with such as the Board of

Aldermen might join, to consider the expediency of electing by the City Council, a resident Physician for these Institutions. Came up for concurrence. Read & concurred, & the standing Committee on the Jail &c. was joined.

Resolved, That the safety & convenience of the Inhabitants require Street
That Federal street be widened on the easterly side, near Milk street. Therefore ordered that the same is hereby widened by taking a piece of land as follows, to wit, Beginning at the southwesterly corner of a brick building belonging to R. G. Shaw, Esq. from thence running southerly by a straight line sixty seven feet six inches to a brick wall. Then running westerly by said brick wall four feet to the present line of Federal street, then running Northerly by said present line of said street sixty seven feet six inches to the place of beginning. Taking from the land of R. G. Shaw, Esq. 135 Square feet, as marked on a plan drawn by S. P. Fuller dated 1823.

Resolved, That the Milk safety & convenience of the Inhabitants require Street
That Milk street be widened. Therefore ordered that the same is hereby widened near South street as follows, viz. Beginning at the south-

66. westerly corner of the store of Messrs. Scudder
& Birds from thence running southwesterly by
a straight line sixty feet three inches to the
southwesterly corner of a brick building bel-
onging to John Welch, then running easterly
by the present line of Milk Street, by three sev-
eral lines sixty three feet ten inches to the place
of beginning taking from land of said Welch
227 square feet as marked on a plan drawn
by H. P. Fuller.

Richmond
Street.

Resolved, That the safe-
ty & convenience of the Inhabitants require that
Richmond Street be widened between Commercial
& Fulton Streets. Therefore ordered, that the same
is hereby evidenced as follows, viz. Beginning
at the easterly corner of a brick store on Com-
mercial Street, belonging to Robert G. Shaw,
from thence running northwesterly by the north-
easterly wall of said store & the line thereof con-
tinued one hundred & forty four feet eight in-
ches to Fulton Street, then running Northeast-
erly by Fulton Street twenty four feet to the pres-
ent line of Richmond Street, then running
southeasterly by said present line of Rich-
mond Street one hundred & forty seven feet
to Commercial Street, then running southwester-
ly by said Commercial Street ten feet six inches
to the place of beginning. Also another piece
on the Northeastly side of said Richmond

street. / Beginning on Commercial Street, at the 67.
distance of forty feet from the first above described line,
measuring at right-angles therefrom, from thence run-
ning northwesterly parallel with said first above-
described line & forty feet distant therefrom, one hun-
dred & forty four feet more or less to said Fulton
Street: then running southeasterly by the pres-
ent line of said Richmond Street one hundred &
forty six feet more or less to Commercial Street,
then running northeasterly by said Commercial
Street thirteen feet nine inches to the place of
beginning, taking from Benjamin Wheeler 250 $\frac{1}{2}$
square feet of land on the southwesterly side
of said Richmond Street & 45 square feet on
the northeasterly side, & from land claimed by
the heirs of Joseph Stone deceased 919 $\frac{1}{2}$ square
feet as marked on a plan drawn by S. J.
Fuller dated March 5th 1839.

Petition of Thomas B. Wales, Wales
& others, to have Short Street widened. Referred Short Street
to the Committee on Streets.

Petition of B. G. Beare, Beareman
mau, & others, to have Chamber Street widened, Chamber Street
near Leverett Street. Referred to the Comm-
ittee on Streets.

Petition of Charles Loughton
Loughton, & others, to have Causeway Street paved, Causeway Street
from the Canal to Merrimac Street. Referred

68 To the Committee on paving.

Robbins
Milk Street.

The Committee on the petitions of E. H. Robbins & others, to have Milk Street widened, near Congress Street, reported. That the representation made by said Robbins & others as it regards the importance of Milk Street as a thorough avenue, & the alterations now making on the Dexter estate, & warehouses about to be erected at the corner of Milk & Congress streets, is correct, but the necessity of widening Milk Street in consequence of these facts is doubted by the Committee. Milk Street from Bath to Congress Street, where these operations are now going on is forty feet wide, as wide probably as any board of Aldermen will ever consider it their duty to make it. From Congress to Washington Street it varies from thirty five feet, to forty feet & will probably be widened to forty feet, as after opportunities occur to widen it. The Committee therefore report that no widening is required at this particular part of Milk Street and ask to be discharged. Henry Tarnam, for the Committee.

Read & Accepted.

Washburn
Wooden buildings

Petition of Theodore Washburn & others praying, that application be made to the Legislature for a repeal of the law authorizing the erection

of wooden buildings in the City, & that the City government be
authorized to regulate the kind of buildings
which may be erected therein. Referred to the Com-
mittee on the fire department, with such as the Com-
mune Council may join, to consider & report. Sent =
Comm for concurrence. Came up concurred, and the
Common Council joined in its part The Comm-
ittee on public buildings.

Petition of Asahel Durgan
Durgan, & others, late members of Engine Com Engine No. 11.
pany No. 11. lately disbanded, praying to know
the cause of such distancing. Referred to the
Committee on the fire department.

The Committee on the Ferry place
fire department to whom was referred the pet- Engine & Dist-
ition of William Ferry place, & others, praying
that the Engine at East Boston, may be kept
constantly on that side of the ferry, reported as
follows, viz. That in their opinion, such a regulation
would be as unreasonable as a corresponding one
that, in case of fire at E. Boston, none of the
engines on this side should go over there. The
risk of a second fire breaking out while one
is raging is so exceedingly small that it
seems difficult to imagine its occurrence,
except by design. Since such circumstan-
ces as now mark the opposite ends of the ferry.
If this request should be granted, why should

70 not a similar cue be made in relation to D.
Boston, or indeed with regard to any ward in
the city? Legislation in the opinion of the
Committee, should not be based on such sect-
ional principles, & they therefore recommend that
the petitioners have leave to withdraw. For the
Committee. Saml. H. Eliot. Read & Accepted.

Clark Street
Common sewer.

The Superintendent of Com-
mon sewers reported a revised assessment for
the sewer in Clark Street. Read & passed. And
the vote of this board passed on the fourth day
of January last, was reconsidered, & thereupon de-
creed, that said Superintendent make out the
several bills, according to the revised assess-
ment, & lodge them with the City Treasurer for
collection.

Brown
Ward No. 12

Petition of Benjamin
D. Brown, & others, praying, that the lists
of voters in ward No. 12 may be revised.
Referred to Aldermen Wetmore, Quincy
& James Harris to consider & report.

Broad Street.

Ordered, That so much
of an order that passed the board of Alder-
men on the 29th of October last, to widen Broad
street on both sides thereof, & which limited the
time of taking to the first day of May next
to, & the same is, so far modified as to pro-

mit William Foster Esq. to commence putting down 71.
his old, & erecting new buildings upon the new line
of the street, on the first day of April instead of the
first day of May next.

On the notice of intention Bates & Kelby
to build of Bates & Kelby on Merrimac & Causeway Merrimac St
way streets, the Committee reported as follows. viz.

That they requested said Bates & Kelby to de-
lay their building until they could notify the Mill
Pond Wharf Corporation, that such a building
was about to be erected on this sharp corner, sup-
posing that said Corporation would find it for
their interest to have said corner rounded, that
the travel might go straight from Lowell
to Merrimac Street & thereby enhance the
value of the large tract of land owned by
them, but said Corporation declined doing any
thing about it, & the building is now erecting,
& the Committee ask to be discharged. For
the Committee, Henry Farnam. Read & accounted.

On the notice of intent Stercy Stercy
and to build of John Stercy on B & Second B Second St.
streets, the Committee reported as follows. viz.
That there is some confusion among the streets
at South Boston & Mr. Fuller is now making
a correct plan of the same, in the mean time
he has been requested to give the line of the street
if it can be obtained at the present time corre-

72 My, or otherwise to stop the erection of the building until his plan is complete. For the Committee W. Farnham. Read and accepted.

Sears license
revoked.

The Committee on Licenses, Report, that a place at the corner of Ann & Crop streets, occupied by John Sears, under a license from this board, for the exhibition of wild beasts, has been indicted by the grand jury, for the disorderly conduct of persons who assemble therein, & that the same is complained of by the Police officers, as a receptacle for rude, vicious and dissolute persons, & a nuisance to the neighborhood. They therefore recommend the passage of the following order, for the Committee Thos. Wetmore. Ordered, That the license heretofore granted to John Sears to show wild beasts, at the corner of Crop & Ann streets, be & the same is hereby revoked. Read, accepted & the order passed.

Cherree

The Committee on Vice Petition of Emily C. Cherree, for the use of a room in the Lyman School house on Wednesday & Saturday afternoons to keep a school for the purpose of teaching drawing, reported, there is no objection to granting the prayer of said petition & that leave be granted accordingly. Read & accepted.

The Committee of Conference on 73.

The matter of difference between the two Boards in relation to the Hospital for insane persons not previously made reported. That soon after their appointment they met the Committee from the other board, & after a full & free discussion of the subject agreed to certain modifications of the bill accompanying the order, & recommend to the Council a concurrence with the board of Aldermen, by accepting the bill as mutually agreed to, & taken into a new draft by the Committee. Read, accepted and ordered accordingly. Sent down for concurrence. Came up concurred.

The Committee on lamps. Gas lamps

to whom was referred, the resolve of the Common Council of the 14th of February last, with the accompanying papers expressing the opinion of that board, that the gas lamps ought to be kept burning during the night & also that it is expedient that said lamps should be lighted when the moon is obscured by storm, reported. That the burning of the lamps during the night will afford safety & convenience to a large class of our fellow citizens whose avocations call them into the streets during the latter part of the night, viz. such as Physicians, Surgeons, Firemen, persons connected with the running of stages, matchmen & others, & to some extent may deter burglars & incendiaries from carrying their nefarious

74 plans into effect & considering also that the care,
lighting, & extinguishing the lamps would not
be increased whether they burn the whole night
or only a part, consequently no additional expen-
se will be incurred beyond the cost of gas, and
the Committee believe that the convenience to
the public would counterbalance the additional
expenses. In regard to lighting the lamps when
the moon is obscured by storms, the Committee
apprehend that such a measure would not be
attended with those beneficial effects which
the Common Council anticipate. They believe
there would be great diversity of opinion am-
ong the lamp-lighters, scattered as they are
in every part of the city, in designating the
nights proper to be lighted with any de-
gree of uniformity, and besides the inpropri-
ety of vesting discretionary power with so
many individuals where expenditures are invol-
ved & over whom so little direct supervision is
exercised, is to the Committee manifestly inprop-
er. Another improvement has been suggested
to the Committee & in which they fully con-
cur, to continue lighting the lamps from the
change of the moon to the end of the first
quarter. It is a fact which needs no illust-
ration to show that the moon during the first
quarter affords but very little light in the
streets, & hence the necessity of this alteration.

in the arrangement of lighting. In view of
of the whole subject the Committee recom-
mend the passage of the following orders...
all which is respectfully submitted for the
Committee Nathan Sweeney. Orders do.
That the Superintendent of lamps be & he is here-
by instructed to cause the gas lamps for light-
ing the streets, from & after the passage of this
order, to continue the burning of the same from
the time they are lighted in the evening, until
one & one half hour before sunrise, instead
of being extinguished at midnight as has
heretofore been the practice with the gas lamps.
And that said Superintendent be further
instructed to cause all the lamps in the streets
of the City to be lighted & burn during the
night from the change of the moon until
the end of the first quarter, & no longer, in
the same manner they are lighted in the
absence of the moon. Reads & accepted.

William Butler Secy. Auctioneer
as an Auctioneer & his bond approved. Licensed

Adjourned to Wednesday next,
four O'Clock P.M.

A meeting of the Board
of Aldermen of the City of Boston, held at City
Hall on Monday the eighteenth day of March
A.D. 1839. Present.

The Mayor, & the whole body of Aldermen,
except Aldermen Gurney & Huntington.

Pana
Charcoal street no., & others, to have Charcoal street widened.
Referred to the Committee on streets.

Ames
North Margin street & others, to have North Margin street widened. Ref-
erred to the Committee on streets.

Brewster
Portland street no., & others, to have Portland street widened. Ref-
erred to the Committee on streets.

Sorbes
Sudbury street Sorbes & others, to have Sudbury street wide-
ned. Referred to the Committee on streets.

Wagner
Union street no., & others, to have Union street widened.
Referred to the Committee on streets.

Atkins
& others, to have Crutchees removed from Market

ington street, between School street & Bromfield 77.
street. Referred to the City Marshal.

Petition of Daniel Ira. Graper,
per. & others, against carriages, carts &c. stand-
ing in Market square near the Bill Tavern
& Daniel Hall. Referred to the City Marshal.

Petition of Jeremiah Bois.
J. Bois. to be relieved from the payment of an
assessment for a drain in Clark street. Refe-
red to the Committee on drains & sewers.

Petition of William Foster & al.
Foster & Thomas L. Winthrop to have the drain Cambridge St.
in Cambridge street, near its junction with
Grove street so altered, as to exclude the tide
waters. Referred to the Committee on drains
& sewers.

Petition of J. H. Glover. Cleveland
Cando. for leave to take up the sidewalk in
front of his store No. 99, Milk street. to lay a
drain & make a vault for coal &c. Referred
to the committee on paving with full power.

Petition of Albert. Norton. Norton
for the use of the spare room in the Eliot school
house, for a female adult Bible class. Refe-
rred to the Committee on public build-

78.
Hancock

ings on the part of this board.

Petition of John Hancock & others, to the Supreme Judicial Court, for a writ of Certiorari to the Mayor & Aldermen, commanding them to bring into said Court the record of proceedings of the Selectmen of Boston, now in the custody of said Mayor & Aldermen, in laying out & widening Beacon Street, so far as relates to the taking the lands of said petitioners for that purpose, on the 5th day of November 1815. in order that the same may be quashed, and the order of Court thereon. Read & referred to the City Solicitor.

Edge
Fire works

Petition of Isaac Edge, Junr. praying that he may be employed to prepare fire works for the 4th of July next. Referred to the Joint Committee on the subject of fire works. Sent down for concurrence. Came up concurred.

Whitman &
Nichols.

The joint Committee to whom was referred the petition of Whitman & Nichols, for compensation for two buildings which were pulled down, during the conflagration on the night of the 24th January last, reported as follows, viz. That they have repeatedly endeavored to have a full hearing of all the parties, but by a singular series of accidents they have been prevented from accomplishing this object. From the evidence they have been able to obtain, ^{however,} they believe that no order was given for pulling down these buildings on the

manuere prescribed by law. viz: by joint order of three
engineers of whom the chief or senior engineer pres-
ent must be one. This destroys all legal claim on
the City, & it appears to the Committee that there can
be little equitable claim for compensation for a
building which was actually on fire at the time
it was pulled down, & was so greatly exposed
that the very materials were consumed as they
were lying on the ground, especially as pull-
ing it down was the means of saving another
building occupied by the petitioners. Under
these circumstances, the Committee recommend
that the petitioners have leave to withdraw. For
the Committee. Saml. A. Eliot. Read and
referred to the City Solicitor.

The Auditor of accounts & Auditors
submit an estimate of the amount of money necessary & means
to be raised for the expenses of the ensuing financial
year, which commences on the first day of May next.
The Common Council, referred together with the
accounts accompanying, to the Committee on fi-
nance on the part of that board with such as the
Board of Aldermen might join, to consider & report.
& said Committee were requested to cause such
parts or portions of said documents to be printed
for the use of the City Council as they may deem
expedient. Came up for concurrence. Read &
concurred. & the Mayor, Aldermen, & Commoners, Met.

80 more, & Gurney were joined.

Breed
appeals

John A. Breed, by his
attorney Franklin Dexter Esq. claims an ap-
peal from the estimation of his damages aga-
inst the Eastern Water Works Corporation
for lands taken on Belle Isle, made by the
Mayor & Aldermen, to the Court of Common
Pleas.

Common sewer
permits

Ordered, That all persons
to whom permits shall be granted for entries into
the Common sewers shall pay, as an entry fee,
a sum not more than twenty dollars, nor
less than ten dollars, according to the valuation
of the estate, which sum shall be paid to the
Superintendent of Common Sewers, previous
to said permit being granted; - provided how-
ever that said persons shall not have paid their
proportion of the expense of said sewers.

Safford

petition about

Petition of Daniel
Safford, & others, for leave to make 115 feet
of drain through a part of Devonshire
street to the common sewer in Milk street,
under the direction of the Superintendent
of Common Sewers. Read & granted
on paying ten dollars.

Minet

petition about

The Committee on
streets to whom was referred the petition of Wil-
liam Minet praying the leave to remove

a part of an order to widen Broad Street, re- 81.
ported as follows, viz. That they have very carefully
examined the brick building on the north east side
of Broad Street at the corner of a three & a half
feet passage way now under the care of said Minot
& Henry B. Rogers. The great damage that said
building will sustain by cutting off a part of it,
at the present time will not, in the opinion of
the Committee be compensated by the benefit
the street will derive therefrom. The great pinch
in the travel of Broad Street, is at the corner of
Purchase & India Streets, a projection of four
feet into this particular part of the street
which is now forty six feet wide will not mat-
erially injure the travel. The Committee there-
fore recommends that this part of the order
to widen Broad Street passed on the 29th of
October last be suspended. & submit the
following order for the purpose. For the Com-
mittee. Henry Tarnam. Ordered. That
that part of an order that passed the Board
of Aldermen on the 29th of October 1838 which
requires seventy eight feet of land to be taken
from the estate under the care of William
Minot & Henry B. Rogers, situate on the north
east side of Broad Street, to be cut off, directly
after the first day of May next, be, & the same
is hereby extended to some future time and
not be carried into effect until it is order-

82. ed to be done by the Mayor & Aldermen
read, accepted & the order passed.

Lucas
Borden
Water street.

Resolved, That there be paid
to William Warren, Agent to William Bearman,
The sum of fourteen dollars & fifty cents in addition
to eighty five dollars & fifty cents, ordered to be
paid to said agent February 13. 1837. making the
sum of one hundred dollars, in full for twenty
eight & one half feet of Land taken from his
estate to widen Water street, on his giving
a good & sufficient deed of the same & releas-
ing the City from all damages.

Oliver
Essex street.

The Committee on Streets ha-
ve discovered by information received from Fran-
cis J. Oliver, Esq. That in the order passed this
board on the fourth inst. to widen Essex street,
That Mr. Fuller made a mistake and took
a part of said Oliver's land supposing it be-
longed to Hazen J. Burton, who is about build-
ing at the corner of Park's Lane. The Com-
mittee accordingly moved that said order be
reconsidered, & the following substituted in lieu
thereof. Resolved, That the safety & convenience
of the inhabitants require that Essex street be
widened near Park's Lane. Therefore Ordered,
That the same is hereby widened as follows,
viz Beginning at the intersection of the south-
erty line of Essex street with the easterly line

of Dick's lane. from thence running southerly six feet 83.
three inches to a point forty feet distance from the
Southeast corner of the Church standing on the opposite
side of said street. then running Easterly by a straight
line thirty seven feet six inches to land of Francis J.
Oliver Esq. then running Northerly six feet six inches
to the present line of Esplanade Street. then running westerly
thirty six feet six inches to the place of beginning, be-
ing from the land of Thomas J. Burton 234 $\frac{2}{3}$ squ-
are feet as marked on a plan drawn by S. J.
Fuller, dated June 4th 1838. Resolved accordingly
by, & said resolve was passed.

Ordered. That the Senat. Election
ers & Representatives of this City in the General Court Law.
be requested to procure the passage of a law of prop-
erty exempting the City from the operation of the law
concerning elections passed March 9. 1839. except
the first, fifth & sixth sections thereof.

Ordered. That the Com. Shops
mittee on licenses with such as the Common Council select
may join, be a committee to report an ordinance, pres. articles
creating the conditions & restrictions, under which li-
censes shall be granted to any persons, to be keepers of
shops for the purchase, sale or barter, of junk, old
metals, or of any second hand articles, & to be dealers
therein. Sent down for concurrence. Came up con-
curred, & the Common Council joined in it,

84 part. Messrs. Austin, Thompson & Thelling.

Tapes
abatement of of abatements of tapes made the last year. Filed.

Sears
License

The Board heard John
Sears, by his Counsel, that the Board would recon-
sider its vote revoking his license to exhibit Wild
beasts, & after the examination of divers witnesses, &
mature deliberation being had thereon, the Board
are of opinion that said order to revoke said licen-
se ought not to be reconsidered.

Woodbury.

Memorial of J. Wood-
bury & others, in favor of John Sears, & praying
that he be licensed to exhibit his menagerie of
Wild animals, in a building No. 105 Ann-
street, corner of Corp Street, until the first day
of May next. Read & Thompson ordered, that
a license be granted that said Sears employ
a police officer, & that he have no other exhib-
ition than living animals.

Adjourned to Monday next,
four o'clock, p.m.

At a Special meeting of Ss.
The Board of Aldermen of the City of Boston
held at City Hall, on Wednesday the seven
teenth day of March A. D. 1829.

Present,

The Mayor, Aldermen Tarnam, Wetmore, Wagn-
ard, Huntington, & James Harris.

The joint special Comm. *Joint*
ittee who were appointed to take into consideration
the subject of the Jail in Averell street, & report
upon the course it would be expedient to accept
in relation to it, made a report. Read & laid
upon the table, & thereupon ordered, the same be
printed for the use of the members of the City
Council.

Ordered, that notice *Milk St.*
be given to the proprietors of estates on the nor-
th side of Milk street, between Congress and
Bath streets, & to all persons interested, that
this board, will on Monday next, at 4 o'
clock ^{7 p.m.}, consider the expediency of wide-
ning Milk street by taking a part of
said estate.

Attest, Josiah L. C., March 25.
Amos, & Nicholas & Rogers & George Page, Common Council
members elect of the Common Council members qualified
for Ward No. 12. appeared before the
Mayor attended by Mr. Crane, & the

Sh oaths by law required were administered to them by the Mayor, to qualify them to take seats as members of the Common Council.

Adjourned.

At a meeting of the Board of Aldermen of the City of Boston held at City Hall, on Monday the twenty-fifth day of March A.D. 1839. Present.

The Mayor, & the whole Board of Aldermen, except Aldermen Gurney & Huntington.

Contracts

Order of the Common Council

on advertising all instructing the Committee on public build-
for proposals. ings to advertise in the public papers for proposals,
whenever any building or buildings are to be erected
at the expence of the City, with a view to secure as
more extensive competition among building me-
chanics. Came up for Concurrence. Read
& concurred.

Burton

Ordered. That the sum of

Essex Street. four hundred & sixty eight dollars & sixpence
be paid to Hazen J. Burton, in full for
two hundred & thirty four feet & one third of land
taken from his estate to widen Essex Street,
at the corner of Tick's Lane, on his giving
a good & sufficient title of the same, & releas-

ing the City from all damages.

87.

Petition of Josiah Knapp
Knapp, & others, to have that part of Eliot Eliot Street
street formerly named Kneland street, cha-
nged to its former name. Referred to the
Committee on streets.

It appearing to this Milk Street
Board, that notice has been given, agreeably
to the order passed at the last meeting to all
persons interested, in the widening of Milk
Street, between Congress & Bath streets. And
now the owners of estates situated in that place
appeared & were heard by themselves & their co-
uncils, & made their several objections to the
having their land & buildings taken for the
purpose of widening said street.

The Committee on Milk street
streets, reported a resolve to widen Milk st widened.
bet. between Congress & Bath street, as follows.
viz. Resolved, That the safety & convenien-
ce of the Inhabitants require that Milk
street, on the north side, between Bath &
Congress streets, be widened. Therefore
Ordered, That the same is hereby widened
by taking a piece of land as follows, viz.
Beginning at the intersection of the North-
easterly line of Milk street & the easterly line

of Congress street, from thence running North-
by five feet eight inches by said Congress street,
to a point forty five feet from the building stand-
ing on the opposite side of said Milk Street,
Then running easterly by a straight line one
hundred & thirty two feet six inches to a point
on the westerly line of Bath street, forty five
feet distant from the building standing on the op-
posite side of Milk street, then running souther-
ly by Bath street, five feet eight inches, to the
present line of said Milk street, then running
westerly one hundred & thirty two feet six inches,
by the present line of Milk street to the place
of beginning, taking from Land of Richard
G. Tucker 237 square feet of land, from
Land of the heirs of Aaron Dexter deceased
356 $\frac{1}{2}$ square feet, from Ebenezer Jackson
157 Square feet, also another piece east-
erly of Bath street, beginning at the in-
tersection of the Northerly line of Milk
street, with the easterly line of said Bath
street, from thence running Northerly by
said Bath street five feet, then running
northeasterly forty eight feet four inches
more or less to the south westerly corner of
a store belonging to Scudder & Cordis,
then running southeasterly fifty feet more
or less to the place of beginning, taking
from the land of John Welch 120 square

feet of land; as marked on a plan drawn by S. S. S.
J. Fuller dated December 23. 1825. Read, ac-
cepted & the resolve passed.

The Committee on Ames
streets to whom was referred the notice of Abel Prince street.
Ames. of his intention to build on Prince street,
at the corner of Bennett Avenue, reported
a resolve to widen said street as follows. viz.
Resolved. That The safety & convenience
of the Inhabitants require that Prince st-
reet be widened. Therefore Ordered, That the
same is hereby widened (to be taken as soon
as the buildings thereon standing are rem-
oved) as follows. viz. Beginning at the in-
tersection of the northerly line of Prince street
with the easterly line of Bennett Avenue,
thence running northerly six inches -
thence running easterly by a straight line
thirty feet two inches. Then running southerly
six inches. Then running westerly thirty feet
two inches by the present line of said Prince
street to the place of beginning, taking from la-
nd of Abel Ames 17 1/2 square feet of land. Read,
accepted & the resolve passed.

The Committee on Waynes
streets to whom was referred the petition, of Union street.
John Wayne, & others, praying that Un-
ion street be widened, by cutting off a part
of the estate now in possession of S. S. Ship-

89. They have examined the premises & ask leave to report.
That said Whippley has an expensive bakery located
on said estate which would be entirely ruined by cut-
ting off the same to widen the street. That he holds
under an aged Lady who has a life lease of the
same, & that it will be a very expensive operation
to widen said street until after her demise. That
there is no particular inconvenience to the
travel, although it would add to the value of the
real estate. They therefore report that it is inexp-
edient to widen said street at the present time and
ask to be discharged. For the Committee. Henry
Farnham. Read & Accepted.

Dana
Chardon Street. To whom was referred the petition of Samuel Dana,
& others, to have Chardon street widened, rep-
orted as follows, viz. That they have no knowl-
edge that any resolution or even encouragement
to widen said street has been accepted by the Board
further than to set back the dwelling houses abo-
ut to be erected to the perspective line of the street,
& cut off an old stable now being altered for a
mucking house, & set back a space at a very trifling
expense. no encouragement has been given by
the Committee that the City would be at the
great expense of removing Dr. Parkman's brick
wall & elegant trees, for the purpose of widening
a street where there is so little travel. The.

Committee are decidedly of opinion that the pray-
er of said petitioners ought not to be granted.
& ask leave to be discharged. For the Committee
Henry Farnham. Read & Accepted.

The Committee on Wales
Streets to whom was referred the petition of The Short Street
men &c. Wales & twenty five others praying that
Short Street from Essex to Albany streets be wi-
dened, reported as follows, viz. That said
street is now about twenty six feet wide, &
the distance from Essex to Albany street is
four hundred & fifty feet. It will therefore
require six thousand & four hundred feet of
land to make said street forty feet wide,
which the Committee estimate will cost \$
8000. besides there is another street now ma-
king from Essex to Beach street which is
thirty feet wide, & but ninety feet from Short
Street. This street when finished will serve
to relieve the travel from Albany street. The
Committee therefore are of the opinion that
public convenience does not require that Short
street should be widened, & ask leave to be dis-
charged. For the Committee. Henry Farn-
ham. Read & Accepted.

Communication from Foster
William Foster. respecting widening of Broad Street.

91. 1 Broad Street. Referred to the Committee on streets.

Minot
Fitts heirs
John. Mather
Street
Communication from William. Minot, Attorney to the heirs of W. Fitts, & others, respecting a claim they have against the City, in the discontinuing a passage way near North Market Street. Referred to the Committee on streets.

Preston
Kingston Street & others.
Petition of J. Preston, & others, that the streets between Summer & Beach streets, called Kingston; Short, & the part lately opened from Essex Street to Beach, called Kingston Street & called Kingston, & that said street be numbered. Referred to the Committee on streets.

Kale
Lincoln Street
Petition of Nathan Kale, & others, to have certain old buildings removed from the line of Lincoln Street. Referred to the Committee on streets.

Moore
George Cedar
Streets.
Petition of A. Amos Moore, & others, to have George Street repaired, & Cedar Street continued through to Cambridge Street. Referred to the Committee on streets & paving.

Engine house
Water Street.
The Committee on the fire department to whom was referred

an order respecting assigning a lease of the 92.
engine house on Water Street, reported that
considering the circumstances under which
the engine was placed in said house, it would
in their opinion be inexpedient to remove
it, & apply the building to another use.
Read & Accepted.

Joseph B. Prince Auctioneer
licensed as an Auctioneer, & his bonds licensed
approved.

Petition of Still - Lotthrop
man Lotthrop to be relieved from the Salem Street.
payment of an assessment made upon
him for a common sewer in Salem
street. Referred to the Committee on drains
& sewers.

Petition of Edwards Bugbee
Bugbee to be relieved from the payment Washington
of an assessment for common sewer in Street.
Washington street. Referred to the Comm-
ittee on drains & sewers.

The Committee on Durgan
The Fire Department, to whom was ref- Engine No. 11.
erred the petition of Asahel Durgan, & others,
safety members of Engine Co. No. 11, request-
ing to know the cause of the (disturbance of
that company) ask leave to report. That they
have for some months had reason to believe

93 That the company were not so attentive to their duties as was desirable & proper, but were unable to ascertain the facts from the very imperfect returns made by the Clerk. After considerable effort to obtain better ones, the last quarter's return was more exact, & showed a great number of absences of several members, from exercise meetings, as well as from alarms &c. This was particularly the case with several of the petitioners. It was represented to the committee also that a considerable difference of opinion existed in the company as to the necessity of coming to this side of the ferry in certain cases, & that in consequence the officers were unable to enforce that discipline which the committee deem all important to the success of the service. This statement was shown to be true by the late appearance of the engine & the thin attendance of the members, on the night of the formidable conflagration on the 21st Juny. last. Under these circumstances the Committee thought it expedient to recommend the disbanding of the company, & forming a new one, where all who were willing to submit to the discipline, & perform the duties of the department in a thorough manner might have an opportunity to rejoin the Company. This course was pursued by the Board & the Committee are happy to express the belief that it has been followed by the desired results.

& that the new company give evidence of
the best disposition to perform with fidel-
ity their appropriate duties. all which is
respectfully submitted, for the Committee.
Sam^l. A. Eliot. Read & Accepted.

The Committee on the Cleveland
petition of G. H. Cleveland, for Liberty Milk st.
to construct arches under side walk Milk
street &c. reported, that leave be given for
the construction of a Coal hole under the side
walk on condition, that the work be done at
the expense of the petitioner & to the satisfac-
tion of the Committee, removable at the ple-
asure of this board, & that the part which
relates to a drain be referred to the Commit-
tee on drains. Read & Accepted.

The Committee on Foster & Winthrop
The petition of William Foster & Thos. L. Cambridge St.
Winthrop, to have a common sewer, alt-
ered in Cambridge Street, reported, that
an order of notice be issued returnable
on Monday next, four O'clock p.m.
Read & Accepted.

The Committee on Norton
The petition of Albert Norton, for the
use of the Ward room in the Eliot School Ward room.

95. house, for the purpose of keeping a female
adult billie clasp, reported. That there is no
objection to granting the prayer of said peti-
tion. Read & accepted.

Adjourned to Monday
next, four o'clock p. m.

A meeting of the board
of Aldermen of the City of Boston, held at City
Hall on Monday, the first day of April, 1839.
Present.

The Mayor, & the whole board of Aldermen,
except Alderman Huntington.

Junk
Shops.

The joint committee
who were directed to report an ordinance pres-
cribing the conditions & restrictions under which
licenses should be granted to keepers of Junk &
Shops &c. reported, as follows, viz. an ordinance con-
taining all the provisions which they, at present
deem necessary for the purpose. The restrictions, now
proposed, are similar to some which have been
adopted in New York, & other cities, in this
Country, & in Europe in relation to the same
subject. & the Committee trust they will be
sufficient to remedy the evils now experienced

from those shops & places of like character, without attempting to enforce the other more severe & minute regulations which those Cities have also adopted. Tho. Wetmore for the Committee. Read & laid upon the table, & ordered that the report & ordinance be printed for the use of the members of the City Council.

Order of the Common Council. appointing Messrs. Smory, Lincoln, & Stearns, with such as the board of Aldermen might join, a committee to consider & report what salaries shall be allowed the several City & County officers, for the ensuing year. Came up for concurrence. Read & concurred. & Aldermen Farnam & Wetmore were joined.

Order of the Common Council. appointing Messrs Snelling, Haughton, & J. B. Parker with such as the board of Aldermen might join, a Committee to take into consideration the expediency of reducing the salary of the principal assessors to one thousand dollars per annum & allowing the assistant assessors dollars per day while actually employed on the duty for which they were appointed. Came up for concurrence. Read & thereupon ordered, that this subject be referred to the joint committee on sala-

97. res.

Went down for concurrence.
Came up concurred.

City Hall

The joint Committee on the erection of a new City Hall, who were instructed to report as soon as practicable &c. reported in part, as follows, viz. They find themselves greatly embarrassed in making a selection among the many plans which they have had before them, on account of their not fully knowing the views of the Council in relation to the position the building should occupy, & the extent of ground it should cover. They have no doubt that the intention of the Council is to provide in the most liberal manner for the wants of the City & they believe it will be found expedient, if not necessary for the purpose of making such provision, that the City should obtain possession of all the estates now lying between the old Court House & School Street & the Chapel & the sites (late Warren) estate. As negotiations of this kind cannot be advantageously carried on by large bodies & at the same time the City Councils ought to have all reasonable security against paying more than the estates are worth. The Committee propose the following mode of arranging the business. They suggest that full powers should be given to the Committee on the erect-

tion of a new City Hall, to make such pur- 98.
chases as they may think necessary for the
site of the building, provided three fourths of the
Committee shall give in writing their opinion
of the propriety of each and every purchase. A
similar mode was formerly adopted for the
purchase of land necessary for the erection
of Faneuil Hall Market, and in this case,
it would be soon ascertained to what extent
it would be necessary to go & it would ena-
ble the Committee speedily to report a plan
for the much needed building. They subjoin
an order for the purpose. For the Committee,
Sam^l. A. Eliot.

Ordered, That the
Joint Committee on the erection of a
new City Hall be empowered to make
such purchases of land on such terms as they
may deem expedient for the location of the
proposed building, provided three fourths of the
Committee shall agree in writing to every pur-
chase. Passed in Common Council. Came up
for concurrence. Read, & on the question of con-
currence, the yeas & nays being required, were
taken as follows, viz. Yeas. Alderman Tar-
nam, Wetmore, Gurney, Hayward, Quincy,
Isaac Harris & James Harris. Y. Nays. none.
So the same passed in concurrence with the
Common Council.

The joint Committee to
 Washington. whom was referred the petition of Theodore Washburn
 wooden buildings, &c. &c. praying the City Council to petition
 the Legislature to repeal the law now in force
 with regard to the erection of wooden buildings,
 reported, as follows, viz. That they concur with
 the petitioners in their view of the importance of a
 repeal of the present law, & that the former law,
 if revived, would be more useful than the present
 one, as they thought however, that another mi-
 ght be prepared which would be more accep-
 table than the former law, they herewith sub-
 mit a draft of a new law, which has been
 drawn up with as much care as the short
 time allowed them would permit. If any ac-
 tion is to be had on the subject at the present
 session of the Legislature, it will be necessary
 to make immediate application; and the
 Committee would therefore recommend the
 passage of the following order, or of so much
 of it as may be deemed of especial import-
 ance by the Council. In the Committee. Saml.
 A. Eliot. Ordered, That the Mayor be
 instructed to make immediate application
 to the Legislature for the repeal of the "Act
 for the further regulation of the erection of
 Wooden Buildings in the City of Boston" pass-
 ed in the year 1835, & for the enactment of a
 law which shall contain the provisions fo-

and in the accompanying draft. 100.

An Act, Concerning the
erection of Wooden Buildings in the City of
Boston.

Be it enacted by the
Senate & House of Representatives, in Gen-
eral Court assembled, & by the authority,
of the same, as follows:

Section 1. In the City of Boston, except
those parts thereof called South Boston
& East Boston, no Wooden Buildings shall
hereafter be erected, except under the follow-
ing restrictions, that is to say, The dimensions
thereof on the ground shall not exceed thirty
six feet in length & eighteen feet in width, or,
being in any other proportion, shall not cover
more than six hundred & forty eight squares
feet of land; the walls of such Buildings
shall not exceed eighteen feet in height above
the level of the street, or above the point
where such level shall be determined, or
by the Mayor & Aldermen of said City, to
the ridge pole; all the walls & the roof there-
of shall be slated; and shall be separated
from every other building by a passage way
not less than four feet in width, and the
gutters of such building shall be of copper
or other metal.

Section 2. All additions which shall be

101. made to any buildings already erected, or which shall be erected on old foundations in whole or in part, shall be deemed to be within the provisions of this act.

Section 3. Any person, who shall violate any provision of this act, shall forfeit the sum of one hundred dollars for each offence; & shall be liable to the said forfeiture for every month after a conviction for such offence, until such building shall be either taken down or made to conform to the provisions of this act; and all forfeitures under this act may be recovered, by indictment to the use of said City.

Section 4. It shall be the duty of the Board of Engineers of said City to prosecute without delay all persons who shall have violated any provision of this act.

Section 5. All acts & parts of acts heretofore passed respecting the erection of Wooden Buildings in said City, & inconsistent with the provisions of this act, are hereby repealed. In Common Council, read with the accompanying draft & proposed amendment to the same, re-committed, with instructions to the Committee to report a new draft. Came up for Concurrence. Read & Concurred.

George.

Petition of David

W. George, occupant of cellar City House 102,
to have his rent reduced. Read & referred
to the Committee on public buildings.

Sent down for concurrence.

Came up concurred.

Petition of James Len. Drummison
nison, to be relieved from the payment of an assessment
for a common sewer in Currier Street.
Referred to the Committee on drains & sewers.

Petition of Haysford Hayford &
& Davenport, for leave to construct arches
under the side walk in Milk Street. Milk St.
Referred to the Committee on paving.

Petition of Elijah T. Weatherbee
Weatherbee, for leave to construct arches under
the side walk in Summer Street. Summer St.
Referred to the Committee on paving.

Petition of Peter Mac. Mackintosh
Mackintosh Jr. for leave to construct a cess-pool
in M^r. Dean Street. Referred to the Com-
mittee on paving.

The Committee to Baglee
whom was referred, the petition of Edward Warren &
Baglee, for an abatement of an assessment Washington St.
cut for the sewer in Warren & Washington.

103. streets, reported as follows, viz. That said assessment ought to be revised & the sum of fifty dollars be deducted from the assessment of \$119.84 on each of the estates of Brown & from the rest in the same proportion now assessed, which amount ought to be left to be assessed on the vacant land in said streets whenever the same shall be built upon. For the Committee. Thos. Wetmore.

Read & Accepted.

Dr. Wetmore
Salem Street.

The Committee to whom was referred the petition of Stillman & Thorpe, to be released from an assessment for a common sewer in Salem Street, reported as follows, viz. That the Petitioners previous to the laying said Common Sewer in the year 1835 together with other proprietors of estates on the east side of Salem Street, had acquired by purchase a right to drain their estates thro' land on the opposite side of the street to Endicot Street, & their drains were sufficient & in good repair, that the land thro' which they drained being sold & built upon, it became a matter of importance to the owners to get rid of the drains & laid on their premises, & they accordingly petitioned for the Common Sewer in Salem Street, & it was laid. The Committee regret that it was not previously stipulated, with the Petitioners in that case, that they should pay the whole expense of said sewer which, being the only persons to be benefited, they ought to have done. That

was not done, however, & the Committee think that 104
the whole expense must now be borne by the City,
& that the owners of estates on the east side of the street,
not being benefited by said sewer ought
to be released from the payment of the assessment,
& they therefore report that the assessment amount-
ing to \$359.04 ought to be rescinded. For the
Committee, Thos. Wetmore. Read & Accepted.

On the petition of Mil. Foster -
William Foster, & Thomas L. Winthrop to have Winthrop,
a Common Sewer constructed in Cambridge Street,
so as to relieve their estates at the junction
with Grove Street, from a nuisance occasioned
by the tide water. And now it appearing to this
Board, that notice has been given agreeably to
the order passed at the last meeting; and several
persons appeared, & after hearing the parties interest-
ed, thereupon ordered, that the subject be referred
to the Committee on drains & sewers, with full power to
cause said sewer to be constructed as prayed for, and
that the expense thereof be apportioned upon those whose
estates shall be benefited thereby.

The Committee to whom Boies
was referred the petition of Jeremiah S. Boies, Clark St.
to have an assessment abated for a drain in Clark
Street, reported, as follows, viz. That said drain was
laid in Clark Street in the year 1833 & it does

105. not appear that any estates in said street can be particularly benefited by it except the estate of J^r. V. Fisher for whom petition, it was laid, & it being necessary to drain on account of his cellar being depressed too much for the old sewer. The Committee think however that all the persons non-assessed should pay something towards the expense, & they therefore report that said assessment be altered, so that Daniel Bartlett who is non-assessed \$52.50 should pay \$20.00. & that the other persons who are assessed should pay in proportion, except the estate of J^r. V. Fisher whose assessment ought not to be abated. For the Committee, Tho. Wetmore,
Read & accepted.

Clark Street
drains

The Superintendent of drains & sewers reported a revised assessment for the common sewer in Clark street. The former vote reconsidered, & this passed, & thereupon ordered, that said Superintendent make out the several bills, & lodge them with the Treasurer for collection.

Warren & Washington

The Superintendent of drains & sewers reported a revised assessment for the common sewer in Warren & Washington streets. The former vote reconsidered, & this passed, & thereupon ordered, that said Superintendent make out the several bills and lodge

them with the Treasurers for collection.

106.

The Committee on Land. streets on the notice of Nicholas Land, of his petition to build on Ann Street reported, the following order viz. Ordered, that the resolution & order that passed this board on the fourth day of February last, to widen Ann Street at No. 133. be & the same is hereby reconsidered.

Resolved. That the Chamber safety & convenience of the Inhabitants require Street. That Chamber street near Leverett street be widened. Therefore ordered that the same is hereby widened, the same to be carried into effect as soon as the fence now standing on the premises is removed, as follows, viz. Beginning at the southerly corner of land belonging to the heirs of Sumner Phillips, deceased. From thence running Northwesterly eight feet. Then running Northeasterly by a straight line seventy four feet two inches to Leverett street, then running southeasterly by said Leverett street eight feet. Then running southwesterly by said Chamber street seventy four feet two inches to the place of beginning, taking from 596 square feet of land belonging to said heirs of said Phillips. Read, Accepted & the resolve passed.

107.

to whom was referred the petition of Nathan Hale, Lincoln street & others, praying that the two old buildings standing on a part of Lincoln street may be removed, reported as follows viz. That it appears that an action was brought in the Court of Common Pleas at the January term 1837 by Margaret C. Buttermore against the City of Boston for land taken to widen Lincoln street. It was agreed that said Margaret might discontinue without cost. The City having compromised with her for her life estate, & agreeing to pay her an annuity of \$100, and the rent of the buildings standing partly on the land taken. This agreement precludes the removing said buildings during the life time of said Margaret even if it should be prolonged for twenty years, without her consent. She is now eighty six years of age & will not consent to the removal, even if an equivalent for the rent is paid her. The rent amount to six dollars per week & the unobstructed part of the street is thirty nine feet wide. The Committee would be glad to recommend the taking down said buildings if the board had the power to do it, but it is evident that they have ~~no~~ such power & they ask to be discharged. For the Committee. Henry Farnham. Read & Accepted.

Ordered
Kitty Stott

The Committee on drains & sewers, to whom was referred the pet-

ition of S. W. Cleveland, reported, that the peti- 108.
tioner has connected his drain with the common
sewer in Willy street, & has paid therefore an en-
try fee of twenty dollars. Read & accepted.

The Committee on str. ^{Trestle}
acts to whom was referred the petition of J. Pres ^{Kingston St.}
ten & others, praying that Kingston street be ^{Wood}
extended to Beach street, & that Short street be ^{West Cedar street}
discontinued. Also the petition of Amos Wood,
& others, praying, that West Cedar street be ex-
tended to Cambridge street, reported, as fol-
lows, viz. That it would be desirable in a dense
population to have the streets that continue in
the same direction bear the same name. It would
be more convenient to find the Inhabitants' places
of residence, particularly for strangers. It is some-
times the case however that the Inhabitants ob-
ject to changing the name of a street, but where
there is no objection, this board in the opinion of
the Committee ought from time to time to do it.
For the Committee, Henry Farnam.

Ordered, That the name ^{George street}
of George street be discontinued & that West Cedar ^{Kingston St}
be extended to Cambridge street, and that the
name of Short street be discontinued & that Kings-
ton street be extended to Beach street.

Read & accepted.

Fisher
Faucett House.

The Committee on the petition of F. Fisher, & others, for the use of Faucett Hall, for a fair for the benefit of the orphan's house, reported, as follows, viz. That, in their opinion, it is inexpedient to grant the use of Faucett Hall for any but public objects. Their petition of Mrs. F. Fisher, & others, does not appear to them to be for an object of this kind, & they therefore recommend that the petitioners have leave to withdraw. For the Committee. Saml. A. Eliot.

Read & Accepted.

Snapp
Eliot St.

The report of the Committee on the Petition of Josiah Snapp, & others, praying that that part of Eliot Street formerly called Newland Street, be changed to Newland as heretofore, reported, as follows, viz. That it is only eight months, since a part of the same petitioners applied to this board, to have the name of Newland Street changed to Eliot, & gave such good & sufficient reasons for it, as to induce the board to comply with their request. They now complain, that such change of name occasions confusion & trouble in consequence of its being the only street with the same name that crosses the main street. It is altogether probable that some mistakes will take place on the first altering the name of a street, but it will be a great convenience to the Inhabitants & more so to strangers, if every street in the City bore the same name, as far as it extended, and as soon as the Inhab-

stand of a street which bears several names will
consent to change them to one name This desir-
able object ought to be effected. with these brief
remarks the Committee report that they are op-
posed to the prayer of the petitioners & ask to
be discharged. For the Committee, Henry Tarnam.
Read & Accepted.

The Committee to whom Robinson
was referred the petition of S. W. Robinson, &
others, to the Legislature to have Charles river
bridge opened, reported that no action of the City
is necessary.
Read & Accepted.

The Committee on Gunnison
the petition of James A. Gunnison, to cause
arches under the side walk in front of
his house in Snow Hill Street, reported, that the same
be granted on condition that the work be done at the
expense of the petitioners & to the satisfaction of the
Committee removable at the pleasure of this board.
Read & Accepted.

The Committee on the pet-
ition of A. G. Webber for leave to construct arches under
the side walk in front of his house in Summer Street,
reported, that leave be granted on condition that
the work be done at the expense of the petition-
er & to the satisfaction of the Committee, removable

111. at the pleasure of this board. Read & Accepted.

Shelby & Co.

Whereas a nuisance exists in the rear of Richmoy Street, Nos. 29 & 31 & so on in that direction for several estates, in consequence of the decayed condition of the drain, Therefore it is ordered, that the City Marshal notify the persons interested in the said drain to have the same repaired, & suitably laid, & the nuisance abated, without delay, & in case of neglect so to do, that the Marshal direct the nuisance to be abated in said manner & charge the expense of the same to those interested.

(And also whereas) a certain tenement in Belknap Street (of which the number is not known) owned by John Peak, used as a dwelling house is not furnished with a sufficient drain under ground to carry off the waste water, Therefore ordered, that the Marshal give notice to the owner or his agent, requiring them or either of them, within seven days to cause a sufficient & proper drain, to be constructed, the expense of which shall be paid by said owner or agent.

Adjourned to Monday next,
4 o'clock p.m.

112.

At a meeting of the
Board of Aldermen of the City of Boston, held
at City Hall, on Monday, the eighth day of
April, A. D. 1839. Present.

The Mayor, & the whole board of Aldermen except
Aldermen Gurney, Huntington & James Harris.

Agreeably to assignment. Assessors.

The board proceeded by ballot to the choice of
principal assessors, & the votes being taken, it ap-
peared that Samuel Norwood, Thomas Jack-
son & Henry Bass were unanimously chosen
in concurrence with the Common Council.

Agreeably to assignment. Assistant
Assessors.

The board proceeded by ballot to the choice of as-
sistant assessors, & the votes being taken it ap-
peared that the following persons were unan-
imously chosen in concurrence with the Com-
mon Council, as follows, viz.

Ward No. 1. Simon Wilkinson & Frederick Gould.
" " 2. J. R. Raymond & J. B. Tremere.
" " 3. Thomas Gould & Dexter Follett
" " 4. S. S. Littlehale & Bruf. Leamson
" " 5. C. J. Wartschorn & B. G. Beardman
" " 6. Jese Shaw & Enoch Train
" " 7. James Means & Enoch McChart
" " 8. J. B. Richardson & J. W. Thayer
" " 9. Frederick Tuttle & Wm. Bramhall

113. Ward No. 10. Josiah Tice & Joseph May
 " 11. J. S. Roberts & George Savage
 " 12. Hermanus Emerson & Joseph Harris, Jr.

Ines

The Committee on streets,

North Margin
Street.

to whom was referred the petition of Israel Ines, & others, to have North Margin street widened. Reported, as follows, viz. That said street is not much travelled, & is but a short distance from Cooper street. In order to widen it there must be cut off a Sugar House & another large building which will be very expensive, more so than the public convenience will compensate. At some future time when said buildings are removed it will be proper to widen said street, but in the opinion of the Committee it is not expedient now, & they ask to be discharged. For the Committee. Henry Farnham. Read & Accepted.

Wales

Petition of Thomas B.

Leicester street

Wales, & others, to have Leicester street widened. Referred to the Committee on streets.

Whetton

Petition of Thomas J. Shul

Purchase street

ten to have Purchase street widened. Referred to the Committee on streets.

Oliver

Petition of Noyah

Oliver to have a building erected on Boston

South Bridge. Referred to the Committee on Mt. Bridges.

Memorial of Eben B. Foster, respecting a quarry of marble on a City Hall, lot of land belonging to him on Deer Isle, Maine, & offering to the City a sufficient quantity to build a City Hall. Referred to the Committee on building a new City Hall, to consider & report. Sent down for concurrence. Same up concurred.

Petition of the Massachusetts Mechanics & Charitable Mechanic Association, for the use of Faneuil Hall, for the purpose of holding the fair in September next. Referred to the Committee on public buildings on the part of this board.

The board reconsidered Fisher, its former vote on the petition of Mr. F. Fisher & others, for the use of Faneuil Hall, for one week, commencing on Monday the 22^d instant, for the purpose of holding a Fair, for the benefit of the Mariners' home, & thereupon ordered, that the use of said Hall be granted - as prayed for.

The Committee who were Physician instructed to consider & report, on the expediency of electing a resident Physician for the public institutions at South Boston, reported as follows, viz. That in their opinion it is in the high

115. not degree expedient for the City to avail itself of
the opportunity now offered, by the erection of a Hospital
for idiots & insane persons, to secure the services of a physi-
cian of the high standing in the profession for the com-
mon benefit of all the houses on the public lands at S.
Boston. It is manifest that a Hospital, of the char-
acter of that now about to be completed, requires the da-
ily & almost hourly supervision of a well educated
medical man, & the building has been constructed &
with reference to such a plan, a dwelling house
having been placed between the wings. The care
of the sick in the other houses will not be a great-
er task than one person can very well perform in con-
junction with that of the Hospital & the combination
of the whole will make it advantageous to the City,
to offer such a compensation as will be likely to com-
mand the attention of men of distinction in the
profession. The Salaries which are now paid to the
medical officers of the Houses of Correction, Reforma-
tion & Industry, together with the smallest amount
that could reasonably be offered to the Hospital physi-
cian would be more than the Committee have thought
it necessary to recommend to the Council. They can-
not but think, therefore, that it is very desirable to
simplify the arrangements of this department of the
public service, by electing a ^{resident} physician by concurre-
nt vote of the two branches of the City Council, and
offer for this purpose the following resolve & orders.
For the Committee. Saml. A. Eliot.

Resolved: That it is expedient 116.
That a resident physician, who shall have the
medical care of all the public establishments at
South Boston should be chosen by concurrent vote
of both branches of the City Council.

Ordered: That the joint
Committee on this subject be instructed to advertise in
the public papers that such an office will be appoint-
ed, & to receive all applications which may be made for
the office on or before the first day of June next.

Ordered: That the Salary
of the resident physician of the Hospital shall be \$1200.
per annum, which shall be charged to the appropriation
for the salaries of the City & County Officers, & he shall
also be allowed the use of a house, & board for himself and
family. Read & accepted. Sent down for concurrence.
Came up Concurred.

The Committee on the petition of
Peter Macintosh, jr. for leave, to construct a cesspool
in M^r. Loran Street, reported, that the prayer of said peti-
tion be granted. Read & Accepted.

The Committee on the pet-
ition of Elijah S. Weatherbee for leave to construct a
cess under the sidewalk in Summer Street, report-
ed that the prayer of said petition be granted, on

117. condition that the work be done at the expense of the petitioner & to the satisfaction of the Committee removable at the pleasure of the board. Read & accepted.

Hayford & Davenport
Milk St. The Committee on the petition of Hayford & Davenport, for leave to construct arches under the side walk Milk street, reported, that the prayer of said petitioners be granted, on condition, that the work be done at the expense of the petitioners & to the satisfaction of this board.
Read & accepted.

Alkins. The City Marshal on the petition of B. G. Alkins & others, to have Omnibuses removed from the front of their premises in Washington street, reported, that said carriages have been removed agreeable to the order of this board.

Junk shops. The ordinance concerning junk shops & dealers in second hand articles. Read & passed. Sent down for concurrence.
Came up concurred with amendments. Read & Concurred

Sarrabee. Petition of Mary Sarrabee, for damage for injury to her son the having been struck on the head by the fragment of a rock from a ledge under the charge of persons in the employ of the City. Referred to the Mayor, Aldermen Wetmore & Quincy, with such as the Common Co-

may join. Sent down for concurrence. Came 118.
up concurred & the Common Council joined on its
part. Messrs. Wells, Chapman, Bates, Hays & S.
Shelton.

Petition of Davenport Davenport &
& Hayford, for damage for taking their estate to widen Hayford,
on Milk Street. Referred to the Committee on Streets, Milk St.

Petition of Francis C. Head.
Head to be relieved from his obligation given
October 11, 1836, for the purchase of a lot of neck
lands. Referred to the Committee on Public Lands.

Sent down for concurrence.

Came up concurred.

Ordered, that the Committee Haver &
on Public Lands be authorized to purchase a piece Friend Street.
of land, at the corner of Haver & Friend Streets. Land.
containing five hundred & forty six feet. provided
the price does not exceed the sum of two thousand
and forty seven dollars & fifty cents.

Sent down for concurrence.

Came up concurred.

Adjourned to Monday next.

four O'Clock p.m.

A Special Meeting of
the Board of Aldermen of the City of Boston, held
at City Hall, on Thursday, the eleventh day of Ap-
ril, A. D. 1839. Present.

The Mayor, & the whole board of Aldermen.

Lincoln
Street.

The board viewed Lincoln
Street, with reference to the petition for widening
the same.

Adjourned to Monday
next, four O'Clock p. m.

At a meeting of the Board
of Aldermen of the City of Boston, held at
City Hall, on Monday, the fifteenth day of
April, A. D. 1839. Present.

The Mayor, & the whole board of Aldermen.

William,
Shaw
Blackstone
Street.

Ordered, that the City
Marshal notify John D. William, & Robert
G. Shaw, to construct plank side walks, with
in boardings, in front of their estates on Black-
stone Street, west of Hanover Street, between
a passage leading from said Blackstone
Street to Endicott Street, & the Carpenter's

A Communication from Messrs. James Means declining to accept the office of assessor as stated a paper for ward No. 7. Came up from - against a paper the Common Council. Read & filed.

Petition of Robert G. Shaw Shaw, & others, praying that Sumner's Court Sumner may be continued. Wm. to Bowdoin Street, Court, & made one of the streets of the City. Ref- erred to the Committee on streets.

Petition of C. D. Cool - Colledge idge, to be paid for land belonging to the heirs, Wardon of James Ivers, deceased, taken to widen Chure Street. in street. Referred to the Committee on streets.

John T. Whitwell's demand - Whitwell for damages, taking this estate to widen Milk Milk Street. Street. Referred to the Committee on streets.

Petition of Thomas Lill Lillie Lie. for leave to construct arches under the side - Buckles walk in Sherhill street. Reference to the Comm. Street. Committee on paving.

(Sip) Petition of a Committee Washington of the late Company of Washington Light Infantry. Light for leave to retain a room in Arsenal House for Infantry.

their armory. Referred to the Committee on public buildings in the part of this board.

Ordered, that there be paid

Sargent
Snow Hill
Street.

to Mrs. Margaret Sargent, the sum of five hundred & seventy dollars & fifty cents, in full for 230 feet of land taken from her estate to widen Snow Hill Street, on her giving a good & sufficient deed of the same, & releasing the City from all damage.

Chapin.
Richmond St.

Ordered, that there be paid

to M. & C. Chapin, the sum of one thousand dollars, in full for damages sustained by them in cutting off a part of a store ^{on Richmond Street}, occupied by them as tenants to Dexter & Smith. They to pay the rent of said store, & to release the City from all damage.

Baldwin
Marric
Railway.

Ordered, that the Comm-

ittee on streets be authorized to employ G. R. Baldwin, Eng. to estimate the damage that it will cost the City to take a part of the estate owned by the Marric Railway company to widen Commercial Street.

Jail.

The joint special Committee who were appointed to take into consideration the subject of the Jail in Leverell Street & report upon the course it would be expedient to adopt in relation to it. Reported as follows, viz. That they have no doubt, & believe

no one who examines the subject can entertain 122.
any doubt, that a great improvement might
be made in the construction of the Jail; that
the present building does not possess many ad-
vantages which can easily be obtained, & labo-
rs under many objections from which it may
sought to be freed. The Committee feel ent-
ire confidence that this part of the subject is
viewed in the same light by the Council, and
that whenever a satisfactory plan is brought
forward, there will be no delay in putting it in
execution. The Principal question which occurs
in relation to this matter, is whether a building,
such as may be acceptable to the Council, should
be erected on a part of the estate on Leverett Street,
or whether it shall be placed on the City Lands at
South Boston. On this point the Committee have
come decidedly to the conclusion that it is exped-
ient to remove the Jail to South Boston. In the
first place, this course would very materially increase
the value of the Leverett Street estate; or rather,
keeping the Jail on part of the lot would very
greatly diminish the value of the remainder, &
if the Jail be not continued upon that estate,
the Committee cannot believe that it will be plac-
ed upon any other spot within the ancient lim-
its of the City. The land at South Boston was
purchased & has been used for the purposes of
establishments prepared for persons who, for

123 various reasons, are under confinement. It seems, therefore, the most natural plan to add the jail to the other places of confinement by public authority, if there be room; & the Committee are of opinion that there is not only sufficient room, but a very convenient & suitable location within the enclosure of the public lands. It is disagreeable to the citizens generally to see prisoners marched through the street, under the custody of an officer, as is now not unfrequently the case, in passing to & from the jail. By removing the establishment to South Boston, this disagreeable sight would be prevented; as the prisoners must either be temporarily confined in the cells & apartments under the Court House, or transported in some covered vehicle to and from the jail. The only objection which has ^{been} at any time made, or which has ever occurred to the Committee, is the inconvenience of passing so considerable a distance between the Court & the jail; but the Committee cannot think that this single objection, slight as is its importance, should outweigh the many advantages which would result from the removal of the jail to South Boston. They therefore recommend the building of a new jail near the South west corner of the public lands at South Boston, on the plan they herewith present, and

which is in general copied from that of the 124.
Jail at Hartford, Connecticut; which has
been proved by experience to be convenient,
sufficient & economical. They submit the
following orders for the purpose. For the Com-
mittee, Samuel A. Eliot.

Ordered, That a Special
Committee who have had this subject under con-
sideration be authorized to erect a Jail on the pub-
lic lands at South Boston, on the plan which
accompanies this report. provided that the cost
shall not exceed the sum of — Thousand doll-
ars.

Ordered, That the same
Committee be authorized to sell the estate belonging
to the City on Leverett Street on such terms,
& conditions as they shall deem expedient.

Ordered, That the Treas-
urer be & he is hereby authorized, to borrow a sum
not exceeding — Thousand dollars for the
purpose of erecting a Jail at South Boston
Road. Accepted, & the orders passed. On the
question of passing the last order the yeas &
nays being required, by the rules of the City,
Council were taken as follows, vizt. Yeas. Ald-
erman Tarnam, Wetmore, Quincy, Hayman,
Hunting, Quincy. Isaac Harris & James

125 Harris. 8. nass. nine. - Sent down for concurrence.
Recommended in Common Council with instructions. Came up for concurrence. Read & concurred.

George.

The joint Committee on public buildings to whom was referred the petition of D. H. George, occupant of a cellar in City Hall for a reduction of his rent, reported as follows, viz: That they are of opinion that it is expedient and just to comply with the request. They recommend that the rent be reduced to the sum of \$250. per annum, it being now at the rate of \$285. & that the taxes be no longer charged to the petitioner. They submit the following order for the purpose. For the Committee. Saml. A. Eliot.

Ordered. That the lease of a Shop under the City Hall, given to Dawson Lincoln & now held by David H. George, be cancelled, & that a new lease of the premises be executed to said George for the annual rent of \$250. Read & accepted. Sent down for concurrence. Came up concurred.

Parker.

Eliot - Knickerbocker
street

Petition of M. S. Parker.

Others, to have that part of Eliot street lying to the eastward of Washington street, restored to its former name of Knickerbocker street. Resolved to Aldermen Quincy, James Harris & Huntington.

The Communication 12b.

of the Superintendent of Common sewers, res. Washington
proposing an apsement upon the corner of a new street
estate formerly belonging to the heirs of Andrew
Brimmer, on Washington street; formerly the
Lion Theatre. Referred to the Committee on
drains & sewers.

Adjourned to Monday
next, four o'clock p.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City
Hall, on Monday, the twenty second day of April,
A. 1839. Present.

The Mayor, & the whole board of Aldermen, ex-
cept Alderman Barnum.

The board proceeded by a ^{positive} ~~positive~~
call to the choice of an apsement for ward no. 7. ^{Apsent}
in place of James Means, who declined serving and
the votes being taken, it appeared that Jeremiah
Hitch was chosen, in concurrence with the Com-
mon Council.

Order of the Common Council. ^{Appropriation}
Council referring an order making various trans-

127. *Order of appropriation, & an order authorizing a loan for the purpose of the next financial year. to the Committee on finance, to consider & report. Came up for concurrence. Read & concurred.*

Salaries.

The Committee on salaries reported an order establishing salaries for the officers of the City of Boston, & the County of Suffolk, and passed in concurrence with the Common Council with amendments. Sent down for concurrence. Non-concurred in Common Council.

*Tax
Assessed.*

An order levying a tax, to defray the expenses of the City of Boston, & the County of Suffolk, during the next financial year.

Ordered. That the sum of five hundred & forty thousand dollars be raised by a tax on the lots & estates of the Inhabitants of this City, agreeably to Law, to pay the current expenses of the City of Boston, & the County of Suffolk, during the financial year which will commence on the first day of May, one thousand eight hundred & thirty nine, & will close on the thirtieth day of April, one thousand eight hundred & forty. Passed in Common Council. Came up for concurrence. Read & concurred.

*Auditor's
estimate.*

The joint committee on the auditor's estimate of the expenses of the

City for the ensuing year reported, as follows, viz. That 128.
They have examined it, & ask leave to report it as revised.
It will be perceived that, in conformity to the views
expressed in a recent report of the Committee on Finance,
which were understood to be so far acceptable to the Council,
your Committee have inserted an item of appropriation for the reduction of the City
Debt, amounting to \$45,000, & a small sum towards
the erection of such public buildings as may be ordered
by the Council. It is also proposed to add
\$20,000 to the appropriation for laying out and
widening streets, \$5,000 to that for paving, \$5,000
for incidental expenses, \$7,400 for a reserve fund, \$11,000
to the appropriation for schools, & sundry smaller allocations
to other usual expenses, making the aggregate amount
\$80,000 more than that of last year. The income
of the City property will probably be \$5,000 more than
last year. The Committee submit to the Council the propriety
of keeping the appropriations as high as they
now are, & raising the balance of \$80,000 by taxation, or by
reducing them more nearly to the standard of last
year. It will be recollected, that owing to the
extreme anxiety to keep down the appropriations
for the year 1838. They were in some instances reduced
below what they had previously been, & the
ratio of taxation was reduced two cents on the hundred
dollars. The consequence was an increase of \$28,000
in the debt of the City, as the Council determined
it to be expedient to go on with such expenditures

129. as required that additional amount. If the rate be restored, & a proper allowance be made for the growth of the property in the City the last year, nearly half of the amount proposed to be added to the tax, will be provided for, & a slight addition to the rate will provide all that may be further necessary to enable the City to go on with its customary expenses & improvements. It is certainly possible that the object may be effected by a mere revision of the Assessors books, without altering the rate. But on these points it is the province of the Council to determine, and the Committee have only respectfully to submit the orders they have prepared. For the Committee,
Samuel S. Eliot. The Order relative to Specific Appropriations. It is hereby Ordered by the City Council, That to defray the expenses of the City of Boston, & the County of Suffolk, for the next financial year, which commences on the first day of May, one thousand eight hundred & thirty nine, & closes on the thirtieth day of April, one thousand eight hundred & forty, the following sums be, & the same are hereby, respectively, appropriated; that is to say, -

For Salaries of the Instructors of all the Schools, except the Primary Schools, sixty four thousand dollars.

For the usual annual expenses of the Primary Schools, twenty eight thousand dollars.

For Repairs, fuel, & other contingent expenses, of
all the schools, except the Primary Schools,
three thousand dollars.

For the erection of a new School House in the Third
Ward, sixteen thousand dollars, to be expended under
direction of the joint Committee on Public Buildings.

For the purchase of land, & erection of Buildings,
for the accommodation of Primary schools, twelve
thousand & five hundred dollars.

For Burial Grounds, Public Tombs, & Funer-
al Cars, three thousand & five hundred dollars.

For Care & Improvement of the Public Lands, and
preparing them for sale, three thousand dollars.

For Paving & Repairs of Streets, forty thousand
dollars.

For Widening & Extending Streets, including the
expense of laying out the streets around the new
Court House, fifty thousand dollars.

For Repairs of the Bridges belonging to the City,
two thousand dollars.

For Salaries of all City & County officers, thirty
six thousand dollars.

For the City Watch, thirty eight thousand
dollars.

For Lamps, oil, Gas, & Superintendence,
twenty thousand dollars.

For Fixtures to extend the use of Gas, in
lighting the streets of the City, three thousand
dollars.

131. For the Fire Department: exclusive of Engine Houses, forty thousand dollars.

For the erection, rent, & repairs, of Engine and Hook & Ladder Houses, two thousand dollars.

For Bells & Clocks, one thousand dollars.

For the City Police, six thousand dollars.

For care & improvement of the Common, Malls.

Lands west of Charles Street. Fort Hill and Capps Hill, including one half the cost of new Iron Fences around the Central Burial Ground, five thousand dollars.

For Common Sewers, Wells, & Pumps, four thousand dollars.

For building Reservoirs, two thousand dollars.

For the payment of four Annuities:—one for the purchase of George's & Lewis's Islands, the others as compensation to persons having estates, for life, in lands taken by the City, eight hundred & fifty dollars.

For Printing & Stationery, three thousand dollars.

For the Internal Wealth Department, including sweeping the streets, & removing House Dirt & other nuisances, twenty six thousand dollars.

For the External Health Department:—Expenses of Quarantine, including repairs of the building on Swan Island, two thousand dollars.

For the Overseers of the Poor, besides moneys received for the support of Poor Belonging

to other Towns, (all moneys accruing for the support of State Paupers to be paid into the City Treasury,) twelve thousand & one hundred dollars.

For the Directors of the House of Industry:— (besides income from the Establishment at South Boston, & moneys received for the support of Poor belonging to other Towns, (all moneys accruing for the support of State Paupers to be paid into the City Treasury,) twenty two thousand dollars.

For the Establishment for the Employment and Reformation of Juvenile Offenders, nine thousand dollars.

For the County of Suffolk:— including expenses of Courts, Jails, House of Correction, and all other charges, except Salaries, thirty one thousand & five hundred dollars.

For the payment of Interest on the Public Debt of the City, seventy eight thousand dollars.

For the Reduction of the Principal of the Public Debt of the City, forty five thousand dollars.

For the payment of a portion of the expense of such Public Buildings as the City Council may, within the next financial year, order to be erected, ten thousand dollars.

For Incidental Expenses, & miscellaneous Claims, not justly chargeable to any of the foregoing.

133 going heads of Appropriation. Ten thousand dollars.

To a Special Fund:— to be applied to such purposes as the City Council may hereafter deem proper. Ten thousand five hundred & fifty dollars.

And it is further Ordered. That no except in any of the respective Appropriations aforesaid shall be allowed by the Auditor of Accounts, or paid by the Treasurer of the City & County, unless authorized by an order of the City Council.

In order levying a Tax, to defray the expenses of the City of Boston, & the County of Suffolk, during the next financial year.

Ordered, That the sum of five hundred and forty thousand dollars be raised by a payment on the Polls & Estates of the Inhabitants of this City, according to law, to pay the current expenses of the City of Boston, & the County of Suffolk, during the financial year which will commence on the first day of May, one thousand eight hundred & thirty nine, & will close on the thirtieth day of April, one thousand eight hundred & forty. Accepted in Common Council, & the order relative to specific appropriations passed. Given up for concurrence.

Done & concurred.

Petition of T. L. Raymond. 134.

setters, to have ward room No. 2 furnished &c. Raymond
Referred to the Committee on Public Buildings - Ward room
ings on the part of this board. No. 1

Petition of Benjamin G. Gidd-
Gidd, & others, to have Garden Court Street wid. Garden Court
ened. Referred to the Committee on Streets. Street.

Remonstrance of the Bonden
owners of the Bonden estate against widening
a street run thro' their land from Bonden
to Somerset Street. Referred to the Commit-
tee on Streets.

Remonstrance of Saml. Fales
and Fales against taking his land to widen
Broad Street. Referred to the Committee on
Streets.

The Superintendent Commission-
of drains & sewers, reported the costs of construc-
ing common sewers in Prince & Prichard's
Streets, & the apportionment upon the several in-
dividuals whose estates were benefitted there-
by. Read & passed, & thereupon ordered,
That the several bills be made out & lodged
with the Treasurer for collection.

The Committee on the Petition
petition of Thomas Little, for leave to withdraw.

135 construct arches under the sidewalk in Sher-
born street, reported, that the prayer of said
petition be granted on condition that the work
be done at the expense of the petitioner & to the
satisfaction of the committee removable at the
pleasure of this board. Read & accepted.

Mortgage
discharge.

The City Treasurer and
Auditor having certified that a bond of Charles
W. Sullivan whereby he was obligated to pay to the
City of Boston, ten thousand & seventy four dollars & fifty
cents, the payment of which was secured by mortgage
recorded in the Registry of Deeds Lib. 404. fol.
112. has been fully paid, both principal & interest. There-
upon ordered, that the Mayor be requested to discharge
the same on the records.

Nuisance
com. respecting.

Whereas a nuisance exists
on estate no. 9 Elm street, caused by the contents of the
vault leaking into the cellar of estate No. 45. Hancock
street occupied by David Woodman, causing an off-
ensive nuisance. Thereupon ordered, that the City
Marshal notify the owner or agent of said estate, to
cause said vault to be repaired & made tight & secure
in 14 days, & the nuisance abated without delay, &
in case of neglect so to do, that the Marshal direct
the nuisance to be abated in said manner and
charge the expense of the same to the said owner or
agent.

And whereas a nuisance

exists in a certain passage way leading from Cross street 136. to Richmond street between Fuller's & Commercial streets caused by a collection of filth, rubbish &c. all of which is very offensive. same order passed as on the above.

And whereas a nuisance exists in a cellar in rear of Southac street, in Black Dog Alley, so called, caused by a collection of filth, dirt &c. in cellar of estate corner of South Russell street & Cambridge street all of which is very offensive. same order passed as on the foregoing.

Whereas sundry side walks or footways are out of repair, & need paving, vizt. in Commercial street commencing at the corner of Fleet street from N. 102 to 122.

Street corner of Constellation wharf. Both sides of Mark street. South Margin street near Prospect street, corner of Fayette Avenue & Endicott. Brighton street near Allen street. Thereupon ordered, that the Ward shall under the direction of the board, as Surveyors of highways, notify the owners of lots or estates adjoining said foot ways respectively without delay, & at their own cost, to cause the same to be paved with bricks or flat stones, & in manner according to the Statute, & if the owner or owners of such lots shall neglect to perform the same, for the space of

137 Many days after. He or the tenant of such lot, or the Attorney of said owner or owners shall have been required by said notification. Then the Marshal shall proceed to pave the said passage ways in the manner as provided for in the Statute or repair the same, as the case may be.

Adjourned to Monday
next. 4 O'Clock p.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City
Hall, on Monday, the twenty-ninth day of April
A. D. 1839. Present.

The Mayor & the whole Board of Aldermen except
Alderman Huntington.

Public Lands

Superintendent
chosen.

Agreeably to assignment,
the Board proceeded by ballot to the choice of Super-
intendent of public Lands, & the vote being taken
& appeared that Oliver Bourne, was unanimously
chosen, in concurrence with the Common Council.

Assistant

Whisper

declines.

Communication was received
from William Emerson, declining to accept the
office of Assistant Whisper for ward no. 12. Came up
from the Common Council. Read & laid upon the
Table.

Communications declining 138.

The acceptance of the office of assistant assessor by
Judithiah Shuttleworth M. G. & Joseph Hayward
No. 10. Read & sent down.

The Superintendent of Public Lands
public lands made his annual report of the receipts annual
& expenditures, which was read & sent down report.

Petition of Henry Wells. American
Agent of the American transportation company, pray transportation
ing leave to erect a small office near the Depot of Company.
The Boston & Providence Rail Road, for the purpose
of selling tickets to travellers going west by New York,
Albany & Buffalo. Referred to the Committee
on Licenses.

Petition of R. L. Porter, pray Porter.
ing for permission to erect a small office, at the depot
of the Providence Rail Road, for the purpose of sell-
ing tickets to accommodate passengers going south and
west. Referred to the Committee on Licenses.

The accounts of the Overseers of the House of
sees of the House of Correction. Referred to the Correction,
Committee on County accounts.

Action having been re. Salaris.
ceived, that the Common Council had non-con-
curred with this board in the order establishing

The salaries of the officers of the City of Boston, & County of Suffolk. Read again, & this Board does adhere to its own vote, & thereupon ordered, That Aldermen Hayward, Isaac Harris & James Harris, be a committee to confer with such committee as the Common Council may appoint on its part relative to the subject-matter of difference between the two boards. That a sum for concurrence, came up concurred, & the Common Council appointed on its part Messrs. Chapman, Isaac Parker and Bates.

City
Solicitor.

The joint Committee who were directed to consider & report whether it is expedient to make any alteration in the ordinance "providing for the appointment & prescribing the duties of an Attorney and Solicitor for the City" made a report & offering an Ordinance entitled "an Ordinance establishing the Office of City Attorney" and the Committee also offer the three following orders.

An Order establishing the Salary of the Attorney & Solicitor for the City, & of the City Attorney, for the year ending March 31. 1840.

Ordered, That the Salary of the Attorney and Solicitor for the City shall be at the rate of one thousand dollars per annum in addition to the sum already granted.

Ordered, That the Salary of the City Attorney shall be at the rate of five hundred dollars per annum.

Ordered, That the aforementioned Salaries be

charged to the appropriation for Salaries of City and 140.
County Officers. Read, accepted, & the ordinance & orders
passed, as amended. Sent down for concurrence. Came
up concurred with an amendment to the first order by
striking out one thousand, & inserting five hundred.
— Read & concurred.

The Committee on Fin. Appropriations
naunce, to whom was referred the "order making vari-
ous transfers of appropriations" & the order author-
izing a loan for the purpose of the next financial
year" reported the same without alteration, & recom-
mend that they pass the City Council. Passed in
Common Council. Came up for concurrence.
— Read & Concurred.

Petition of Robert E. Routh Routh
view, & others, to have a passage way widened & laid out
between Tudicott & Blackstone streets. Referred to the
Committee on Streets.

Petition of Robinson & Robinson & Wiggins
Wiggins, to be paid for land thrown into Birch, Hickory, & Wal-
ney Street. Referred to the Committee on Streets.

Petition of Joseph & William Simmons
& William Simmons, for leave to place posts & boards
for awnings in front of their estates in Cambridge Street.
Referred to the Committee on paving.

141.

Gray.

Petition of F. J. Gray.

to have his personal tax abated, which was assessed upon him in the year 1834. He being then an Inhabitant of Brooklyn, & assessed in that town. Referred to Alderman Tamm, Wetmore & Luning.

Stevens.

Petition of Joseph Stevens.

to have the time extended for the payment of a lot of land purchased by him of the City. Referred to the joint Committee on public lands. Sent down for concurrence. Came up concurred.

Hendall.

Petition of M. R. Hendall.

occupant of Hall in Faneuil Hall Market House, to have his lease extended. Referred to the Committee on public buildings. Sent down for concurrence. Came up concurred.

Robinson
Endicott
Street

The Committee on the Pet-

ition of Thomas Robinson. to have a common sewer extended in Endicott Street, reported. That an order of notice be issued, returnable on Monday next, 4 o'clock. P.M.

Read, accepted & ordered accordingly.

Parker

The Committee to whom

sent that was referred the petition of M. G. Parker, to have the name of that part of Hill

street, which lies on the east side of Washington 142.
street, changed to its former name of "Kneeland
street, reported as follows, viz. That in July last,
sundry Inhabitants, owners of real estate & resi-
dents in & near Kneeland street, petitioned this
Board to change the name of said street to Eliot
street. This petition set forth, that Kneeland
street had recently been extended from Front
street into the South Cove, to the passenger depot
of the Worcester rail road, & would probably be
further extended to Broad street. The subject was du-
ly considered in Committee, who reported in favour of
the change, & the report was accepted by the Board: Since
this time extensive sales of land fronting on "Eliot"
street have been made by the South Cove Corp-
oration, & the plans & deeds drawn in conformity, the-
reby giving an importance to the subject which
did not originally belong to it. The inconveni-
ences represented to have been occasioned by its
new name by the present petitioners, & others of
whom signed the first petition, will in the opinion
of your committee gradually diminish, & finally
cease to exist. Having heard the petitioners, & atten-
tively considered all the reasons urged by them in
favour of a change, your committee are of opin-
ion, that the name of Eliot street ought to be
retained & ask to be discharged. For the Commit-
tee, Samuel Quincy. Read & Accepted.

143.

Streets
to be paved.

Ordered: That the Committee on having & repairs of streets cause Tremont Street from West Street to No. 126. to be repaired, also Federal Street from the Baptist Church to Sullivan Place, to be repaired, & the other parts of said street to be repaired. Also Marlboro Street from Prince to Sheafe Street, to be repaired, also Wrentham Lane to be repaired, also such repairing & repairs to Washington Street from Cedar Street southerly, as they may become necessary.

Wales
Lincoln Street.

The Committee to whom was referred the petition of Thomas B. Wales, & others, praying that Lincoln Street be widened between Bedford Street & Essex Street, reported the following resolve. Resolved, That it is expedient to run a new line for the future, widening Lincoln Street on the west side thereof extending from Bedford Street to Essex Street, & from the date of this resolution no building will be permitted to be erected on the old line of said street or on the eastern side of said new line. Beginning at the intersection of the westerly line of Lincoln Street, with the southerly line of Bedford Street, from thence running westerly by said line of Bedford Street eleven feet eight inches, to a point forty feet distant from the westerly side of a brick house, standing on the opposite corner of said street measuring at right angles therefrom, then running southerly by a straight

line through land of Samuel Stanford. Jeremiah 146.
Briggs, Charles Brown, Mary Callahan, and the
Female Asylum, three hundred and sixteen feet more
or less to Essex Street. ~~Then running easterly by said~~
~~Essex Street~~. Then running easterly by said
Essex Street, seven feet one and one half inches. Then
running northerly by the present line of said Seri-
cula Street three hundred and twenty four feet more
or less to the place of beginning, which will take
from said Stanford one thousand one hundred &
ninety one & three fourths square feet of land,
from said Briggs two hundred forty two and one third
square feet, from land of said Callahan three
hundred fifty seven and one half square feet, from
the Female Asylum one thousand one hundred
twenty three square feet as marked on a plan
drawn by A. J. Fuller dated April 22. 1839.

Read, accepted, and the resolve passed.

Ordered, That there be paid to Elias B. Paine, or his assigns, the sum of four hundred thirty six dollars & eight cents, in full for one thousand eight & one third feet of land taken from his estate to widen Hanover St. Likewise for fifteen feet ten inches taken from the same estate while it was owned by Dr. Thomas Barnes, in their giving a good sufficient deed of the same, & releasing the City from all damage.

Ordered, that there be

1145. paid to the heirs of James Ivers, the sum of four
Dollars hundred, fifty two dollars & eighty one cents, in
Charman st. full for one hundred fifty eight & three fourths feet
of land taken from their estate to widen Char-
man Street, in their giving a good & sufficient
deed of the same, & releasing the City from all
damages.

Heard.

The joint committee on
public lands, to whom was referred the appli-
cation of Francis C. Heard, to be released from
a contract made with the City for the purchase
of a lot of neck land, so called. Reported
as follows. viz. That on the fourth day of October
1836 the petitioner purchased fifteen thousand
square feet of land at sixty cents per foot, am-
ounting to nine thousand dollars, upon the follo-
wing terms. viz. the petitioner to pay nine hun-
dred dollars, at the signing of the contract and
the balance by annual instalments of ten
per cent & interest until the whole is liqui-
dated. The City to give a bond to execute a deed
of the premises when the whole is paid. The pa-
pers were executed. The petitioner paid nine hun-
dred dollars according to contract since which
nothing has been paid, although regularly col-
lected upon, by the Treasurer, consequently there
is eight thousand one hundred dollars due upon
the principal, & on the fourth of May next
there will be due for interest one thousand

two hundred fifty five ⁵⁰/₁₀₀ dollars making 146
nine thousand three hundred fifty five ⁵⁰/₁₀₀
dollars due on said day. The allegations of
the petitioner for the surrender of his obliga-
tions are first, that it has become inconve-
nient for him to complete the purchase, or
in other words he is unable to meet his pay-
ments, & secondly that he has a claim of
release on the ground of preccedent. The Com-
mittee have spared no pains in attempting
to satisfy themselves in regard to the pecu-
niary circumstances of your petitioner.
nothing however, very definite has been
ascertained. It appears that a large am-
ount of property is involved in his busi-
ness transactions, & in an unliquidated
state, of course little could be ascertained
as to the amount of his responsibilities or
resources. In relation to precedents your
Committee are aware that certain individ-
uals who heretofore purchased neck lands
of the City had their obligations cancelled.
They believe, nevertheless, that in most if not
in all the cases the City was mistaken rela-
tive to the pecuniary circumstances of the
applicants. Had they been in possession of all
the facts in the several cases at the time they
were made, the decision would have been oth-
erwise. Therefore in the opinion of your Commit-

147. As it cannot have the effect of establishing a precedent. The Committee may be permitted further to state, & they wish it may be distinctly understood, that it is not the intention of the City Council to sell the neck land with any reference, understanding or expectation, that the City will release the purchaser from his obligation without satisfactory proof of his inability to fulfil his engagements. such a course of proceeding would probably induce many to purchase with a hope that it might prove to be a profitable investment, but if otherwise they would apply to the City Council & be released; such a course would have a direct tendency to throw the lands into the hands of speculators who have not the remotest idea of building upon the same & tends also to return the sale to actual settlers. Entertaining these views the Committee deem it inexpedient to release the petitioner from his obligation at the present time. which is respectfully submitted. For the Committee. Nathl. Gurney. Read & Accepted in Common Council. Came up for concurrence & Read & concurred.

Dodd
Garden Court
Street.

The Committee on the
petition of Benjamin Dodd, & others, to have
Garden Court Street widened, reported as
follows viz. That there is a wooden building,

a dwelling house, owned by Thatcher W. May 148.
mond which projects several feet over the
intended line of said street. It would be de-
sirable to have said street widened. But it
is found on inquiry that it will very much dam-
age said house, & cost more money to widen said
street considering the small travel that passes
through it, than the public will be benefited.
Besides there are so many other streets in the
City that are thronged with passengers that
require widening more than this street does
that the Committee are of the opinion that
the cutting off said building to widen said stre-
et ought to be delayed to a future time, and
ask to be discharged. For the Committee. Hen-
ry Farnam. Read & Accepted.

The joint Committee Tremont St.
on public lands who were instructed, by an order of the City Council to consider whether the
vacant land between the Johnson School House
& Tremont street is necessary for the pupils of
said schools & if not whether it be expedient
to sell the same, reported as follows, viz.

Ordered, That the vote
passed by the City Council on the twenty ninth
day of April last authorizing the Committee
on public land, to sell the vacant land owned
by the City situated between the Johnson

149. School House & Fremont Street to be re-considered & that said land be, & hereby is appropriated for the use & benefit of said school by securing better light, promoting a free circulation of air & affording a more extensive playground for the pupils. & that the Committee on public buildings be authorized to erect a suitable wooden fence in front of said estate on Fremont street & to remove the iron fence near the school house if they find it necessary. & also make such alterations & improvements on the surface of the yard as the circumstances may seem to require, & also to pave the side walk in front of the estate. For the Committee, Nathan Gurney. Accepted in Common Council. Came up for concurrence. Read & concurred.

Wartwick.

Petition of Henry B. Hartwell & others to have an old building, lying between Mulden & Dedham Streets, removed or repaired. Referred to the joint Committee on public lands. Sent down for concurrence. Came up concurred.

Aqueduct Corporation

Memorial of the Aqueduct Corporation respecting supplying the City with pure water. Referred to the joint Committee on supplying the City with water. Sent down for concurrence. Came up concurred.

The Committee on 150.

streets to whom was referred the petition of Levi Blip, praying payment of land tak Broad
cu from his estate to widen Broad Street, &c. Street
reported as follows. viz. That said Blip owns the
store next adjoining his new dwelling house &
was informed before he pulled down the old
house on which site the new house was erect-
ed, that the street required widening at this
place. It was entirely at his own option there-
fore to keep his new house or let the old one stand.
The Committee however offered him two dollars
a foot for the land taken & fifty dollars extra
for his being set back from the street. They also
offered to cut off his store, set it back, do all the
necessary repairs & pay him two dollars per foot
for the land. This would effectually remedy his
present complaint & bring his new house on the line
of the street. said Blip has rejected these offers
& there is not the least probability that the Comm-
ittee will be able to effect any arrangement with
him & they ask to be discharged. For the Com-
mittee. Henry Barnum. Read & accepted.

The City Treasurer & Mortgage
Auditor having certified, that a bond signed & discharged
by Winston Lewis Jr. whereby he became ob-
ligated to pay the City of Boston the sum of one
thousand six hundred & fifty five dollars & thirty cents.

151. The payment of which is secured by mortgage recorded with Suffolk deeds. Lib. 346 fol 91. has been fully paid both principal & interest. Thereupon ordered, that the Mayor be requested to discharge the same on the record.

House of
Industry

The Directors of the House of Industry made their annual report. Read & sent down.

Adjourned to Monday next.
four o'clock P.M.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall on Monday, the sixth day of May, A.D. 1839.
Present

The Mayor, & the whole board of Aldermen.

H. of Correction
accounts.

The Committee on County accounts to whom was referred the accounts of the Overseers of the House of Correction, reported, that they had examined the same and found them correct, and well vouch'd. Read & accepted.

Salaries.

The Committee of Conference on the part of this board to whom was referred the subject matter of difference of the two boards on the order establishing salaries of the City and

County officers, reported, that they recommended that 152.
This board concurred with the Common Council in
their amendment, fixing the salary of the Resident
Physician at fourteen hundred dollars, per annum.
And that this board adheres to their amendment
fixing the salary of the City & County Treasurer
at eighteen hundred dollars per annum. Read,
Accepted, & said order was passed as amended
agreeably to the report of the Committee of Con-
ference. Sent down for concurrence.
Came up concurred.

The board proceeded by Assistant
ballot to the choice of assistant assessors in place of
those who declined serving, & the votes being taken
up it appeared that the following persons were
chosen: vizt. Thomas Curtis for Ward 9. Richard
Child, Ward 10, & William D. Loring, ward
12, in concurrence with the Common Council.

Ordered, That Aldermen Treasurer's
Peterson & James Harris, with such as the Com. accounts,
more Council may join, be committed to examine,
audit & settle the accounts of the City & County Treas-
urer for the preceding year, pursuant to the Res-
olution passed July 27, 1835. Sent down for
concurrence. Came up concurred, & the Common
Council joined on its part. Messrs. Gordon, Stearns,
& Watkins.

Broad
street.

Resolved. That the convenience & safety of the Inhabitants require that Broad street be widened near Drake's & Piper's wharf therefore ordered. That the same is hereby widened as follows. viz. Beginning at the southeasterly corner of land heretofore taken from Solomon Piper to widen said Broad street. from thence running southerly by a straight line in the direction to a point on the Northerly side of said Piper's counting room. Three feet ten inches distant easterly from the northwesterly corner thereof & measuring on said straight line forty eight feet. Then running westerly four feet nine inches more or less to the present line of said Broad street. Then running northerly by said present line of said street forty eight feet. Then running easterly one foot three inches more or less to the place of beginning, taking from said Piper one Hundred & sixty three square feet of land. Also another piece Beginning at the southwesterly corner of land of said Piper. from thence running easterly by land of said Piper four feet two inches. Then running southerly by a straight line through land of Andrew Drake thirty feet six inches. Then running westerly five feet nine inches to the present line of said Broad street. Then running northerly by said present line of said street thirty feet six inches to the place of beginning, taking from land of said Drake one Hundred & fifty feet of land. Both of the foregoing described pie-

ces of land are marked on a plan drawn by S. 154.
P. Fuller, dated May 26 1828. to which reference
is hereby made for a further description of the
same.

The Committee on the Gray.
petition of F. J. Gray, for an abatement of taxes,
reported as follows, viz. It appears that in April
1836. said Gray closed his house in the City.
& removed all his family & a part of his furni-
ture to Brookline & remained there till the middle
of October. That the assessors stated to Mr. Pickering
that said Gray "did not leave the City with the
intention of changing his residence." Mr. Pickering
was then of the opinion that said Gray was
still taxable in Boston for his personal estate.
That opinion was given in consequence of the
mistaken views of the assessors. His present opin-
ion accompanies this report & is the reverse of the
former. The Committee are clearly of opinion that
said tax should be abated & recommend the passage
of the following resolution. For the Committee, Hen-
ry Farnam. Resolved, That it is the
opinion of this Board that the personal tax of \$126.
25 against Rev. F. J. Gray for the year 1836. should
be abated by the assessors of the City.

The Committee to whom Simonds,
was referred the petition of William Simonds for Cambridge
leave to place awning posts in front of his store, Street

155. in Cambridge street, reported as follows. viz. That the street side walk at that place are wide, and they see no objection to granting the prayer of the petitioner, provided the posts are of iron & securely fastened into the edge stones. Your Committee notice that the petitioner has already placed wooden posts in the side walk some distance within the edge stones without authority from this board & recommend that the City Marshal be directed to cause them to be removed without delay. For the Committee, Samuel Quincy, Read, Accepted & the order passed.

House of Reformation. The Committee to whom was referred the Memorial of the Directors of the House of Reformation respecting an item of charge in the Auditor's last annual report of receipts & expenditures, reported as follows. viz. The joint Committee to whom was referred a report of a Committee of the Directors of the House of Reformation wherein they complain of the Auditor's annual report of receipts & expenditures for not showing at the first glance the exact amount of the expenditures of said House of Reformation have examined the same, considered the subject, & submit the following report. That it is quite satisfactory to find that said Directors are so anxious to have their expenditures appear prudent & economical, it denotes the great interest they take in that important institution. It is likewise gratifying to discover by their report

156.
That by their prudent & faithful management, the
expenditures of the current year will fall short of
what they were the last. There is no doubt in the
minds of your Committee but that these Direct-
ors perform much labor gratuitously through ben-
evolent feelings & a sense of duty to the public.
But the Auditor's annual report is correct and
comports with the City ordinances. The note on the
fiftieth page of said report is sufficient to direct
any person that is curious to find out the exact
amount of any particular expenditure where to
look for the amounts received & the amount ex-
pended. it is only deducting the one from the other
& the question is answered. It is not to be doubted
however that the item Two Hundred seventeen ⁸⁴/₁₀₀
dollars for carriage hire for the Directors has an
improper appearance, particularly when in fact
it amounted to only Fifty six ⁵/₁₀₀ dollars. It is there-
fore the opinion of the Committee that in future
this item of expense should be carried out by its-
elf & not be merged as was the case in the report
with that of conveying the inmates to the House.
With these brief remarks the Committee respect-
fully ask to be discharged. For the Committee. Wm.
ry Sarnam. Read & accepted. Sent down
for concurrence. Came up concurred.

On the petition of Shm Robinson
as Robinson to have the common Sewer extend Endicott Street.

157. ed in Endicott street. And now it appearing to this board that notice has been given agreeably to the order passed at the last meeting of this board & no person appearing to object; it is thereupon ordered, that the committee on drains & sewers be authorized to cause said sewer to be extended, & that the cost thereof be assessed according to law upon those whose estates shall be benefitted thereby.

Drake.

Ordered, that there be paid to Andrew Drake the sum of Three Hundred dollars, in full for one hundred & fifty feet of land taken from his estate on the easterly side of Broad Street next adjoining to Solomon Piper's estate, to widen said street on his giving a good & sufficient deed of the same, & releasing the City from all damages.

Piper.

Ordered, that there be paid to Solomon Piper the sum of Three Hundred & twenty six dollars, in full for one hundred & sixty three feet of land taken from his estate on the eastern side of Broad Street, to widen said street, on his giving a good & sufficient deed of the same & releasing the City from all damage.

Streets to be
paved and
repaired.

Ordered, that the Committee on paving & repairs of streets cause Hawley street, between Summer & Franklin streets to be paved, also Pearl street between Purchase & Broad streets, to be paved, also Custom House street to be repaved. And that the City Marshal notify every

corner of the lot or lots of ground upon Hawley, Pearl, 158.
& Snow hill streets, whose side walks are not paved,
to cause their edge stones to be set, & side walks to be
paved.

The Committee on the American
application of the American Transportation compa. Transportation
ny & R. L. Porter for leave to establish ticket office Company &
on land of the City near the Providence Rail Road Porter
depot, reported, that it is not expedient to grant
the same. Read & Accepted.

The Auditor of accounts, Quarterly
Weigher of the Northern scales, & City Clerk made reports
of reports of moneys received by them respectively,
for the last quarter ending on 30th of April last,
& which they have paid into the City Treasury;
Read & sent down.

The Directors of the House of
of Reformation, made a report of the state of that Reformation
Institution on the 31st of March last. Also a state-
ment of the expenditures & receipts of that institution
for the year ending March 31st 1839. Read and
sent down.

The Committee to whom Shurtzant
was referred the petition of George Shurtzant, &
others, that the side walk on Broad street, between
Summer & Purchase streets be paved, reported as
follows viz. That Broad street within the limits

159. specified has been paved & the edge stones set near-
ly three years, & that the side walks, except a small
part of the distance, have not been paved or plank-
ed to the great inconvenience of the public. Your
Committee are of opinion that the prayer of the pet-
itioners ought to be granted & recommend the pas-
sage of the following order. For the Committee,
Samuel Quincy. Ordered, that the City
Marshal notify the owners of real estate, abut-
ting on Broad Street between Purchase & Sum-
ner streets to pave their side walks according to
law. Read, accepted & the order passed.

Gore & Leach.

Curtis.

The Committee on streets
inform the board, that in cutting off the store at
the corner of Richmond & Commercial streets for the
purpose of widening Richmond street, they exposed
a cellar which had been fixed to keep out the tide
water. This exposure was only for one night & could
not be avoided. But some evil minded person in
the night was at great trouble to remove the bottom
plug from the log although it was 10 or 12 inches under
water, & thereby let in the tide water to the two cellars
next adjoining. It appears that some damage has
been done to the goods stored in said cellars, and as
said damage occurred by the operation of the City,
it is but reasonable that it should be paid for. The
damage sustained by Gore & Leach is thirty six dol-
lars & 25c. by J. H. & G. W. Curtis thirty two & 75c. dollars.

The Committee have examined said damages \$160. are satisfied that they are correct, & recommend the passage of the following order for the payment. Henry Farnam, for the Committee. Ordered, that there be paid to Geo & Lake Forty six \$46 dollars & to J H & G D Curtis Thirty two \$32 dollars in full for all damages sustained by them by the tide water flowing into their cellars, occasioned by the removal of the hollow plug while the City was widening Richmond street on their releasing the City from all further damages.

The Committee on the petition of Robert C. Withers, praying that a passage way leading from Endicott to Blackstone streets, may be widened, reported as follows, viz. That said passage way is about one hundred & sixty feet from Hanover street & about three hundred & twenty feet from Cross street & the distance from Endicott to Blackstone street is but thirty feet. The travel up Endicott street bound to Blackstone street is well provided for by passing through Cross street, if bound to Hanover street it is just as near to pass on, as it would be to turn through said passage way even if it was widened into a street. The widening this passage way into a street may be of some benefit to private property, but in the opinion of your Committee the public convenience & safety does not require it. your Committee therefore ask to be discharged. For the Committee, Henry Farnam. Read & accepted.

161.

Petition of Josiah Knapp, Knapp, & others. That such alteration of the sewer & drains Eliot Street in Eliot street near Front street be so altered, as to abate the nuisance arising from the stench of said drains. Referred to the Committee on drains & sewers.

Petition of Stephen J. Fuller. Cherry street, &c, & others. to have Cherry street, accepted. Referred to the Committee on streets.

Memorial of Amasa Peterson. Broad street. Respecting, taking a part of his land & building to widen Broad street. Referred to the Committee on streets.

Application of Schabod W. Waldo, for a license to exhibit two small quadrupeds in a building on Blackstone street. Referred to the Committee on licenses.

Petition of the Rifle Rangers. to have their Armory in Faneuil Hall lighted with gas at the expense of the City. Referred to the Committee on public buildings on the part of this board.

Petition of the occupants of stores under Faneuil Hall, for a renewal of their leases. Referred to the Committee on public buildings. Sent down for concurrence. Came up Concurred.

The Committee on burial 162.
grounds reported the following resolve. Resol. ^{Tombs}
ved. That the Committee on burial grounds be ^{South burial}
authorized to cause nineteen tombs to be construct- ^{grounds}
ed in the South burial grounds, similar to those
already constructed therein, to complete the whole
wall ^{provided they do not exceed in cost the sum of \$3375.} around said ground. Read. Accepted &
the resolve passed.

Adjourned to Monday
next, four O'Clock 1. P. M.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall, on
Monday, the thirteenth day of May A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen.

Order of the Common Council City Officers
viz. directing that the several reports made by the City accounts.
Clerk, Auditor of accounts, Haymighers, Superintendent
of burial grounds, & Superintendent of public
lands of moneys respectively received by them dur-
ing the last financial year, be taken from the files
& referred to the Committee appointed to audit and
settle the accounts of the City & County Treasurer.

Came up for concurrence.

Read & concurred.

163.

Agre. referring the petition of John G. Nazro, & others, praying Johnson school, viz. that the land belonging to the City near the house - land Johnson school house on Tremont street, may not near be sold, but that the same may be retained & placed in, for a yard appurtenant to that institution, to the Committee on public instruction, with such as the Board of Aldermen might join to consider & report. Came up for concurrence. Read & concurred, & the Committee on public lands on the part of this Board was joined.

Public
Lands.

Order of the Common Council instructing the Committee on public lands to suspend all proceedings in relation to the order passed April 25th last, authorizing them to sell the land on Tremont street, in the vicinity of the Johnson school House, until otherwise ordered by the City Council. Came up for concurrence. Read & concurred.

House of
Industry
Land adjoining.

Order of the Common Council appointing the Committee on the Houses of Industry, Correction & Reformation, on the part of that Board with such as the Board of Aldermen might join, a committee to consider the expediency of purchasing the piece of land adjoining the House of Industry, at South Boston, on the north corner of the City's land, so as to make the limits of the enclosure of said House uniform, & to report there

facts in the case as well as what price said land can be obtained. Came up for concurrence. Read & concurred, & the Committee on the Jail, House of Industry, Correction & Reformation on the part of this board was joined.

The board proceeded by House of Ballot to the choice of nine Directors of the House of Industry, & upon the votes being taken, it appeared that Directors Richard Child, Thomas Hollis, Joseph Lewis, James Means, David Nickerson, Artemas Simonds, Thomas A. Davis, Nathaniel H. Emmons & Daniel Henchman were chosen, in concurrence with the Common Council.

The board proceeded by House of Ballot to the choice of seven Directors of the House of Reformation & upon the votes being taken it appeared that John L. Dimmock, John D. Fisher, James C. Wild, Larra Crane, Samuel G. Howe, Henry D. Gray & William Parsons were chosen in concurrence with the Common Council.

The board proceeded by House of Ballot to the choice of five overseers of the House of Correction, & upon the votes being taken, it appeared that Luther Faulkner, William J. Andrews, George W. Gordon, George Paracott & Billings Briggs were chosen in concurrence with the Common Council.

165.

House of
Correction
Master
chosen.

Orator
4th July.

Independence

The board proceeded by ballot to the choice of a Master of the House of Correction, & the votes being taken, it appeared that Charles Robbins was chosen in concurrence with the Common Council.

Jesse J. Austin, Esq. was nominated & appointed Orator, for the next anniversary of the declaration of Independence 4th of July next.

Ordered, that the Mayor, Aldermen Barnum & Quincy, with such as the Common Council may join, be a Committee to make arrangements for the due celebration of the anniversary of the declaration of Independence, 4th of July next. Put down for concurrence. Came up, concurred, & the Common Council joined on its part Messrs Amory, Baker, Brackett, Haughton & Ames.

Holland
Harvard
Street.

Memorial of Thomas Holland, respecting an encroachment on Harvard Street. Referred to the Committee on Streets.

Final
Charter
Street.

Petition of Nathaniel Final, for leave to dig a well in Charter Street. Referred to the Committee on Paving.

Surber.

Petition of Thomas Surber, to purchase a piece of land between Canal and the heirs of Abigail Surber, & that purchased

by the City of Middon Junks. Referred to the joint H.C.
Committee on public Lands. Sent down for concurrence
Consensus concurred.

Whereas certain tenements in Langdon
Langdon place, used as dwelling houses are not fur- place.
nished with sufficient drains to carry off the waste
water under ground. Therefore ordered, that the
Marshal give notice to the owners or agent of said
estate, to cause sufficient & proper drains to be constru-
cted for said tenements, without delay, & in case of
neglect so to do, that the Marshal cause the same
to be constructed & charge the expense to those in-
terested.

Whereas a nuisance exists Stillman to
in a certain passage way leading from Still- Cooper St.
man to Cooper streets between Endicott Street &
Stillman place in consequence of the decayed
condition of the drain. Therefore ordered, that
the Marshal notify all persons interested in said
drain to have the same repaired, & suitably laid,
& the nuisance abated, without delay, & in case of
neglect, so to do, that the Marshal direct the
nuisance to be abated & charge the expense of the
same to those interested.

Ordered, that there be Foster.
paid to William Foster, Esq. the sum of four thous-
and & forty four dollars in full for damage sustain-
ed by him for taking from his estate near

167. India street on thousand one hundred & fifty five & one half feet of land to widen Broad street, provided said Foster agrees to remove at his own expense the buildings thereon standing, within twenty days, and gives a good & sufficient deed of the same & releases the City from all damages.

Brigham
Richmond
Street.

Ordered, That there be paid to J. M. Brigham, the sum of sixty seven dollars & ten cents in full for damages sustained by him, in removing a small building used for a fruit shop in widening Richmond Street, on his releasing the City from all damages.

Sinatic
Hospital.

Ordered, That Aldermen, Messrs. Gurney & Hunting, with such as the Common Council may join, be a committee to report an ordinance for regulating the Boston Sinatic Hospital, & for appointing such officers as may be necessary. Put down for concurrence. Came up concurred, & the Common Council joined on its part. Messrs. Chapman, Lewis, Grant, Stevens & Sage.

Cole & Webster.

Ordered, That there be paid to Messrs. Cole & Webster, the sum of three hundred & twenty four dollars in full for damages sustained by them in taking one hundred & forty four feet of land from their estate.

Shelton
Purchase Street.

The Committee on streets to whom was referred the petition of Thomas J. Shelton, and

168.
Others, praying that Purchase street, near the Rev. Mr. Ripley's Church be widened, reported as follows, viz. That by the extending of Broad street to Summer street, passing over the land at the foot of Fort Hill it has taken most of the travel from Purchase street. The travel over the hill through said street at the present time is trifling compared to what it formerly was. The old fence in front of the lot projects about eighteen inches into the street. There is a well & pump situated close to said fence. The pump will require moving back if this widening takes place, the cost of which together with moving back the fence will be about fifty dollars besides the value of the land. It is most probable that this lot will be built upon soon, as the buildings on it are very old & in a very dilapidated condition. The Committee are of opinion that the quantity of travel thro' said street does not justify this extra expense at the present time, & they respectfully ask to be discharged. For the Committee. Henry Farnam. Read & Accepted.

Ordered, That the City. Wm. Cruchman
shall notify every owner of the lot or lots of ground upon
the east side of Cruchman lane, to cause their edge stones
to be set, & side walks paved according to law.

Ordered, That the Committee Charter
own paving & repairs of streets, cause the side walk in
front of the north burial ground, bounding on Charter street.

169. Street to be paved, & That The City Marshal notify the owner of every lot of ground upon the east side of Charter street, from opposite the burial ground to Commercial street, to cause their side walks to be paved according to law.

Bourne.
Infant
School.

Petition of J. W. Bourne, & others, praying that aid may be granted by the City Council, for the re-establishment of an Infant School House which was recently burnt down, situated on Mill Pond Land. Referred to The Mayor, Aldermen Farnham & Gurney with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part, the Committee on public instruction.

Causeway
Street.

Ordered, That notice be given, to all persons interested, to appear & show cause, if any they have, on Monday next, why a common sewer should not be laid in Causeway street, between Lancaster & Canal streets, & the expense thereof be apportioned on all persons benefitted thereby.

Nicolson
E. Street.

Petition of Samuel Nicolson, & others, to have E. Street accepted, & of Freeman M. Dyer, & others, to have Church Street accepted. Referred to the Committee on streets.

Belknap

Petition of A. E. Belknap, Secretary B. ground, in behalf of the subscribers to a fund to aid in the

construction of an iron fence to the Granary Cem- 170.
etry. praying that the City government will take
measures to carry the project into execution. Referred
to the Committee on burial grounds &c.

Petitions of Lucy Ridgway, Ridgway & Co.
George Archbald, Margaret Hargreave, John Fulton, & Crains.
& Nancy B. Goodridge to be relieved from the pay-
ment of the assessments made upon them respectively
for the construction of common sewers. Referred
to the Committee on drains & sewers.

Petition of the Infantry Highland
of Highland Guards for a room in Faneuil Guards.
Hall, for an Armory. Referred to the Committee
on public buildings on the part of this board.

Petition of the Ancient & Ancient &
Honorable Artillery Company, for the use of Faneuil
Hall, & a portion of the Common, for the annual Artillery
anniversary celebration of the formation of said Compa- Company.
ny, on the first Monday of June next. Read
& granted.

The Committee on the Byrnton &
petition of Byrnton & Woodford for leave to erect Woodford.
awnings in front of their estate No. fifty Washington
street, reported, that it is inexpedient to grant the
prayer of said petition & that the petitioners have
leave to withdraw. Read & accepted.

171.
Fuller
Cherry street

The Committee on the petition
of Stephen S. Fuller & others, to have Cherry street
accepted, reported, that said street is not in a con-
dition to justify the City's acceptance of it as a pub-
lic highway. Read & Accepted.

Codman

The Committee on the
petition of Francis Codman & others, to have Marion
street accepted, reported, that said street is not
sufficiently settled to justify the City's acceptance of
it as a public highway. Read & Accepted.

Robinson & Briggan
Puckney Street

The Committee on the
petition of Robinson & Briggan to be paid for land
in front of their estate in Puckney street, reported,
that the original proprietors threw into the street
a portion of their land for their own convenience,
the public travel did not require it, and the City
ought not to pay for it. Read & Accepted.

Adjourned to Monday next,
four O'Clock P.M.

At a Special meeting 17/2.
of the Board of Aldermen of the City of Boston, held
at City Hall, on Wednesday, the fifteenth day of
May 2. 1839.

Present.

The Mayor, & the whole Board of Aldermen, except
Alderman Gurney.

Whereas the proprietors Custom
of Long Wharf, & the Central Wharf & Abel Dock House.
Corporation heretofore conveyed certain land to the
City of Boston, near the site of the United States
Custom House. And whereas it is requisite that
the City should release to the United States certain
parts thereof to be appropriated for steps & side
walks, for the accommodation of the United
States said Custom House.

Therefore ordered,
That the Mayor be & he is hereby authorized
to make such deed or deeds of conveyance
in the premises as he may deem expedient.

Sent down for concurrence.

Came up concurred with
the following amendment, viz. after the word
deed insert quitclaims.

The Committee on the Medical
Petition of the Medical Society for the use Society
of Faneuil Hall, on the last Wednesday of May
instant, reported, that the prayer of said petition

173 ought to be granted. Read & Accepted.

Sajourned.

At a meeting of the
Board of Aldermen of the City of Boston, held at
City Hall, on Monday, the twentieth day of May
A. D. 1839. Present.

The Mayor, & the whole Board of Aldermen, except
Alderman Huntington.

Common
Council
members
resigned.

Communications were received
from George W. Gordon, of Ward No. 4. & Elbridge Gerry
Austin, of Ward No. 7. resigning their seats as mem-
bers of the Common Council. Came up from the Com-
mon Council. Read & filed.

Warrants
for ward
meetings.

Ordered, that warrants be
issued for meetings of the Inhabitants of Wards
No. 4. & 7. in their respective places of meeting on
Monday next, at 12 O'Clock A. M. for the choice of a
member of the Common Council in each of the above
named wards. The polls to be kept open until
three O'Clock P. M.

Note

The Committee on the
subject of the introduction of water into the City, made
a report, as follows, viz. It will, doubtless, be recollected that
the Mayor was instructed, by a vote which passed the Coun-
cil on the sixth day of April 1838, to apply to the Legisla-

ture for the powers necessary to bring water to the City 17/11.
either from Long Pond, or from Spot & Mystic Ponds.

This application was immediately made, but the session of the legislature was then so near its close, that it was deemed proper to refer the consideration of the subject to the session of the next year, in order that other corporations & individuals interested might have ample notice of the wishes & projects of the City. The Revised Statutes having made provision for giving notice of petitions to the General Court before the commencement of the session, it was thought desirable to take advantage of that means of bringing the subject to the attention of the legislature at the earliest possible period, so that there might be time enough to secure its action on the petition. Notice was accordingly given to all the towns which were known or supposed to be interested, by serving a copy of the petition on their clerks severally, within the period prescribed by law, & by publication in all the newspapers that print for the City. The municipal government of this year was organized on the seventh day of January, & on the tenth the petition was presented to the House of Representatives, where it was referred to Messrs. Huntington, Poor & Spooner, to whom were added by the Senate Messrs. Armstrong and Willard. On the seventeenth this committee reported a bill containing such provisions as the Committee of the City Council on the Introduction of Water thought desirable. On the twenty third, remonstrances having been presented to the legislature by several towns,

175 The Middlesex Canal, & sundry inhabitants of Boston, against the project of the City. - The bill was recommitted, for the purpose of giving a hearing to those who might deem themselves injured by the execution of the plan. On the 24th & 30th January, & the 1st & 6th February, accordingly, remonstrants appeared & were heard in behalf of the towns of Weyford, Malden, & the heirs of J. Barrett, who thought that their respective interests in the ponds proposed to be taken, or their outlets, would be injuriously affected in various ways. Their statements went merely, or principally, to show that the remonstrants would be damaged, if the powers prayed for were granted to the City. It was, indeed, intimated, though not strongly urged, by one of the counsel, that the injury which would be caused by the contemplated diversion of certain waters was of such extent, & of such a kind, that it could not be compensated in the manner proposed in the bill, & therefore that it was a sufficient reason for refusing the grant of powers that might cause such irreparable injury. This argument was much more strongly urged by the counsel for the Middlesex Canal, who went so far as to contest the constitutional right of the legislature to grant to the City the powers it asked. The Middlesex Canal & the remonstrants from the City first appeared on the 12th of February, & stated that it would be convenient to them to adjourn their further appearance for some time, the one party for the purpose of obtaining the evidence of a witness who was then sick, & the other to

gather statistical information on the subject. The 176.
Committee, in compliance with this suggestion, ad-
journed for fifteen days, viz: to the 27th of February,
when the Canal corporation produced the deposi-
tion of their agent respecting the injury which would
ensue to their property from diverting the water of Long
Pond, & their counsel concluded his argument on
the subject. The counsel for sundry inhabitants of
the City opposed to the project then opened their case,
& on the following day commenced the examination
of witnesses under oath, to show that notwithstanding
the City, in its corporate capacity, & by its municipi-
pal government, had applied for power to intro-
duce water from one of two sources, there was no real
need of any such thing being done, that no pub-
lic exigency had arisen requiring water to be
brought for the inhabitants of Boston from adjoi-
ning towns, & therefore that the City ought not to have,
nor the legislature to grant the powers necessary for
the completion of this great work. In the course of
this examination, which occupied six successive ses-
sions of the committee, viz: on the afternoons of the 28th
of February, & the 1st 5th 6th 7th & 14th of March, much
time was lost in discussions between the counsel for the
City & those for the Remonstrants, as to the relevancy of cer-
tain questions, & the propriety of putting them to the wit-
nesses. The professional practice in courts of law
was, to some extent, though of course very imperf-
ectly, introduced in this hearing: at least, the tra-

177. Judicial rules of such tribunals seemed to be considered by the remonstrants counsel suitable to the occasion. one effect of this peculiar mode of conducting an examination of this sort before a legislative committee was a great loss of time, of which much was also spent in adjournment. of a fortnight once, & next of a week. The whole of the session, & doubtless many months more, might have been passed in this examination of witnesses for the remonstrants; but after repeated & very urgent efforts, to obtain a hearing on the part of the City, the 15th of March was at length assigned for the examination of witnesses on that side. & the afternoons of the 15th 18th 21st & 22^d. March were devoted to the examination of witnesses brought forward by the City to show the propriety & importance of the application. On the 25th the committee again met, & after a few moments attention to the business, the chairman stated that there was no longer sufficient time left, in the probable duration of the session of the Legislature, to make up their minds upon a report, & therefore that they should recommend a reference of the subject to the next session. A report to this effect was accordingly made to the Senate, which on the 4th. April was recommitted with instructions to report a bill, & on the discussion which arose upon the bill they were directed to bring in a resolve for the appointment by the Governor of commissioners to examine the whole subject. This resolve was subsequently reported, & passed both houses, & receiv-

to the Executive sanction on the 9th of April. It is 178.
in the following words. Commonwealth of Mass-
achusetts. In the year one thousand, eight hund-
red & thirty nine. Resolve concerning the intro-
duction of soft Water into Boston. Resolved,

That the Governor of the Commonwealth with
the advice of the Council, is hereby authorized, on
the application of the City of Boston, to appoint
three commissioners who shall, at the expense of
said City, after having given such notice to all par-
ties interested as they shall think reasonable, as-
certain & report to the next General Court, all
the facts & information which they may deem material
in relation to the several plans proposed by said City
for the introduction of soft Water into Boston, & the
bearing of the same upon the interests of all persons &
corporations which may be affected thereby. Passed,
April 9. 1839. It would be difficult to find, in the
records of any legislature, a more remarkable result
of a three months' investigation of a subject which,
for several years, had occupied the attention of an im-
portant portion of the community. Indeed the whole
course of the branch of the inquiry affecting the City
was, in many respects, striking & novel. The action
of the City, by its own representative government,
& by its corporate votes was held of little or no ac-
count. In the face of votes of the government &
of the citizens at large, individuals who were no oth-
erwise interested than as they, like others, were taxable

179. inhabitants of the City, & who, in common with others, had exercised their right of selection among the candidates for office both in the state & municipal governments, were permitted to object to the doings of their own agents, & irrevocable time was spent in modes, & on subjects of inquiry which might, with safety to the Commonwealth, & with justice to all parties interested have been saved. The resolve of the legislature authorizes the executive to appoint commissioners to do what, so far as regards the City interests, has been the object of the greatest attention of the citizens, & of the most diligent investigation by its various agents, for many years: & so far as regards the interests of other towns & corporations, has been the subject of inquiry during the last session of the legislature, by the very committee who were instructed to report the resolve. It is now for the City Council to determine whether they will incur the expense of a new commission to do what has already been done by itself, or ought to be done by the legislature. With respect to the City, a great agent has been appointed, at no inconsiderable cost, to determine what is for its interest; & with respect to other towns, & corporations, the legislature is the constituted protector of all its citizens from usurpation, & ought, therefore, to bear the expense of any measures which it deems necessary for their protection. The Committee of the City Council have instructed me to express their op-

180.
in view that it is inexpedient for the City to take
any action on the subject under the resolve of
the Legislature. I should do injustice to the em-
inent services of the City Solicitor, did I omit to
mention his exemplary fidelity to the interests of the
City, even on this extra official duty. He was pres-
ent, by request, at the numerous meetings of the
committee, & conducted the case with ability and
judgement, replying with success to the legal and
constitutional arguments of the distinguished
counsel engaged by the various remonstrants. It may
not be uninteresting to add that an arrangement will
very probably be made, by which the minutes of
evidence on both sides, of any importance, will be pres-
erved in a permanent form. This evidence, though
very far short of what might, on a proper occasion, have
been presented, shows many facts which have an impor-
tant bearing on the necessity of an abundant supply
of water to the City. Without exclusively relying
on the testimony given before the Committee, it
will, perhaps, be considered a suitable occasion
now to offer some views & arguments which have
not been heretofore distinctly presented, to show
in what manner benefits, of various kinds, will
result to the inhabitants from a copious supply
of pure water, which may be relied on with a
good degree of certainty. It is not necessary to
show that the supply now furnished from wells
& cisterns is poisonous, or actively deleterious, in

187. order to convince reflecting persons that an abundant quantity of water, of a purer quality, would contribute in many important ways, to the health of the community. It would diminish the temptation to mix other liquors with it, & would consequently aid the cause of temperance, and therefore the public health. It would favor the use of the bath, & in this way would promote health, & the virtue of personal cleanliness, more than will readily be conceived by persons unaccustomed to this simple, yet inestimable luxury. It would facilitate what is now one of the favorable distinctions of Boston. The cleanliness of the streets, & add new security to the health of the inhabitants so far as clean streets & well washed sewers are to be considered as means of promoting it. Pure water must undoubtedly be regarded as a necessary remedy in many cases of serious disease. The operation of permanent causes, though it may be slow, is constant; & if the gradations of improvement be imperceptible at short intervals, the results are not the less important in lengthened periods. Habits of cleanliness and temperance are of infinite importance to any community, both morally & physically. Though none can say that the single draught of intoxicating liquor is deadly, or that the single ablution will prevent disease. In the City charter all measures tending to the improvement, not merely of

"The finances & the police," but of the health, security, 182.
cleanliness, comfort & ornament of the City" are des-
ignated as proper objects of the attention of the
municipal government. It is not therefore unworthy
of the subject to remark that the convenience, com-
fort & ornament of fountains have, in all ages & countries
been felt & acknowledged, & that some amount of
expense would be justifiable, in a wealthy commu-
nity, for these objects alone. When combined how-
ever, as this project obviously may connect them,
with advantages to the health, security, cleanli-
ness, & as it may be made to appear, to the finances
of the City, it would seem that nothing further was
requisite to induce all to promote it with zeal and
effect. Its bearing upon the security of the City, in case
of fire, is too clear to require to be dwelt on, and may
also be counted as one of the points of the financial
advantage of the scheme. The amount of property cov-
ered by insurance against fire in this City cannot be
estimated as less than \$100,000,000, & the reduction
of 1% of one per centum on that amount is \$100,000.
Does any one imagine that the security derived
from reservoirs more elevated than the roofs of all
but a very few houses, & fire plugs at the distances
of 100 feet from each other will not diminish the
cost of insurance much more than that sum? Prob-
ably \$150,000 per annum would be a very moder-
ate allowance for the saving in this particular. This
is an item which reaches every individual citizen.

183. both in his person & property; for it makes no difference, with regard to the latter, whether he pays an office for insuring him, or runs his own risk. It is equally an item of charge upon the property. And many a life would be saved if a prompt supply of water were always at hand. During the last ten years eighteen persons have been burnt to death, & seven others have died from injuries received at fires. Not only would the safety of life & property be thus increased, but a great saving of expense would be made, in consequence of the abundance of water, rendering ^{un}necessary any extension of the Fire Department, & the system of reservoirs. There are now forty nine reservoirs, (to be increased to fifty one during the present season,) & whenever the City shall double in population, they should also be doubled, to maintain an equal security with that which now exists; and it would be highly desirable, certainly, to increase the number, even in those parts of the City which are best supplied, one hundred additional reservoirs, at a cost of \$1,000 each, is but a moderate allowance for this source of expense, within the next twenty years, if the water project be not executed. If it be, all this may be saved, & in addition, it will be unnecessary to increase the number of engines, & the force of the Fire Department as would otherwise be inevitable. Experience has proved that half a dozen streams of water, steadily poured, are enough to master any fire which is not aggravated by a strong wind; & then, no force can prevent it from spreading. When, therefore, every engine can play from a fire plug upon the flames,

184.
a small number of them, which can be easily collected
in any part of the City, if they are properly distributed,
will be able to effect all that is necessary in ordinary
cases. Without the introduction of water, an increase
of one half of the present department would be deemed,
probably, the least that would be necessary within twenty
years; whereas, with it, the present department would
be sufficient, or a very slight increase would make the pro-
vision for this service ample. An addition of one half
to the present expense of the Department would be \$26.
000 per annum, one of the items of City property which is
of no slight importance, & has always been regarded with
special interest, as a principal means of extinguishing
the City debt, is the public land at the southern extrem-
ity of the peninsula. This is variously estimated by dif-
ferent persons as worth from half a million to a million
of dollars. Probably its true value would be very nearly
the mean of the two sums \$750,000. It is the opinion of persons
who have been particularly acquainted with the
condition & management of these lands, that an abun-
dant supply of water to those parts not already furnished
with a sufficient quantity, would add much to their salubrity, & not
less than ten per cent to their price. This would add \$75.
000 to the City property, & give a ready sale to an estate
which wants nothing but water to make it speedily
available. In all the foregoing modes of saving which will
be effected by the introduction of water, every citizen is man-
ifestly interested who has any tax to pay. The following

185. may, at first, be thought less general in its operation; but a little examination will show that its effect will, sooner or later, extend to the great majority, if not to the whole, of the inhabitants. If the City increase to double its present numbers, it is persumable that an equal number of wells & cisterns must be dug to accommodate the new comers, as now exists to supply the present residents. There are now about 3000 wells which, being of all depths from 15 to 100 feet, & in a few instances more, have cost all sums between \$50 & \$300, generally requiring \$3. a foot including the pump. It will scarcely be thought an extravagant estimate to suppose them to average 40 feet in depth, & \$120. in cost. The whole therefore, would amount to \$360,000. The cisterns also cost very various prices from \$30 up to \$300, according to their size & material. Their number has never been ascertained, as was that of the wells a few years ago. But it will probably be conceded that there are as many as 2,000 of all descriptions, & that the average cost is \$50. making an aggregate of \$100,000, & for both descriptions of water \$460,000. All this, & probably much more, must be repeated for the accommodation of the next 80,000 inhabitants of the City, as the wells must be dug deeper, particularly on the rock lands. It may be said that the present aqueduct will supply that section of the City; but it will ~~be~~ scarcely be contended it could supply all the inhabitants that might dwell on that extent of territory, or if it could, that there would be enough left for its former customers. Half a million of dollars must be spent then by the proprietors of the real estate,

on which 80,000 new inhabitants of the City must live. 186.
which may be saved by the introduction of water. Nor is
this all. The increase in buildings, & in the number of wells,
in any portion of the City, has a two fold tendency to ex-
haust the supply. In the first place, the water which, before
the erection of dwellings, & the paving of streets & of yards per-
colated through the soil, & formed springs, & supplied wells,
is cut off, & the supply must come entirely from a distance,
as the rains now flow over the surface into the ocean. Then
the frequent tapping of the same spring at last dries it up,
& the well must be deepened, either to find a new spring,
or to prevent a neighbor from drawing off the waters.
Thus one well after another is deepened, & the borrow-
ing of one renders that of another, or of many others,
necessary; & this operation is very likely to extend over
the whole City, & to be repeated from year to year. It
has already happened very frequently, & mutual vexa-
tion & loss have been caused in many neighborhoods by
the failure of this necessary of life. No man can safely
say, therefore, that he is supplied, & sees no occasion for
paying a tax to save his neighbor the expense he has incur-
red in digging a well. While the words are in his mouth
his neighbor may be drying his well by the digging
of another, which would have been rendered unnecessary
by the introduction of an abundant supply from sources
which might be relied on. Then comes the necessity
of deepening, an operation very much more costly than
the original construction of the well. If one third part
of the existing wells should require deepening in the next

187. Twenty years, it will probably cost nearly, or quite as much as the original construction of the well, or another \$360.00; & if we may form any judgment of what will happen by the experience of the last few years, a much larger proportion of ancient wells must be deepened. It will not pass the bounds of probability, then, to suppose that a sum equal to the original cost must be spent in deepening existing wells, if a supply be not brought from the vicinity. There are various other ways in which money & labor costing, costing money, would be saved by the operation; but as they are scarcely susceptible of estimate, they are hardly a proper basis for calculation. Some of them, however, well deserve to be mentioned, at least, that every one may judge for himself of their weight. One is the saving of fuel which it is well known is made by using soft & pure water for culinary purposes, instead of the saline fluid common in Boston. The economy of even a small percentage of the whole amount of fuel consumed in a year, by six or seven thousands daily fires, must be no inconsiderable item. Another is the saving of labor which it is manifest would be the result of exchanging the slow & tedious process of stamping from 5,000 wells & cisterns, or from 10,000 of them, as may be the case in twenty years, for the rapid gush of water under strong pressure wherever it may be wanted. If this labor were all specifically paid for by every family, every day, it would be found no trifling expense. But any less expense because it is included in the price of wages, & can-

not easily be estimated by itself? What has been sta- 188.
And in figures may, perhaps, suffice to show the econ-
omy of the operation. The following are the items.

Cost of new wells & cisterns	\$466,000
Deepening of old wells	360,000
one hundred reservoirs	100,000
Increased value of City lands.	75,000
	<u>\$995,000</u>

Interest on amount at 6%	\$59,700.00
Saving of Insurance	150,000.00
.. in Fire Department	<u>20,000.00</u>

Making an annual saving of \$229,700.00
If the project, therefore, should cost four millions
& a half. There would still be a saving, if the City
should be able to borrow the money at five per cent. All
this, be it observed, is on the supposition that no rent is
derived from the water, a result there is no reason to
apprehend, on the contrary, there is much probabili-
ty that the income from the water rents might pay the
interest on the loan, & at no distant period, discharge
the debt created for the purpose; so that all the im-
mense benefits arising in so many ways to the health,
the morals, the comfort, the security of the inhabitants,
& the cleanliness & ornament of the City, may be ob-
tained in a way which would never be felt as a bur-
den by any one, & by the temporary payment of a
tax which would be submitted to with the utmost
cheerfulness by the public, who would feel the re-
lief from the heavier burdens which have been

189. enumerated, & the necessary great convenience of the supply. When it is considered that the whole may perhaps be completed for the sum of one million of dollars, the interest of which would be but \$50,000, it would seem that inducements enough were offered to begin & complete the enterprise. Few persons will deny that the estimates of economy above stated are much below the probable truth. But if they be not entirely irrational, the aggregate must surely, on any estimate, justify the City government in an expenditure which will produce as many benefits, & for which there are so many modes of compensation. It is sometimes urged against the undertaking that it is impossible to rely on estimates, & that if that of the Water Commissioners in their late report be doubled, it would still fall short of the actual cost. Certainly, it cannot be denied that estimates are often erroneous; but would it be rational, therefore, entirely to disregard them, & begin important enterprises without them, or forever sit still, because we cannot tell precisely what it will cost to move? All human undertakings ought to be made with reference to a well calculated probability; & allowing that the opponents of the scheme are so much more sagacious than the commissioners, it is possible it might be found wise to expend even three millions for the object. But if its friends are correct, the estimate errs by being somewhat higher than is at present necessary. There are but two objections, besides that of the

expense, which have been much dwelt on in argument. 190.
one is that the work could be more economically
done by a private corporation: & if the profit is to be
so great as is anticipated, there can be no difficulty
in finding capital to embark in the speculation. It
may appear, from some of the considerations above stated,
that it might be extremely advantageous & important
to the City to introduce water, in account of the many
public uses to which it may be put, without being des-
irable as a private enterprise. But supposing it to
be as much so to one sort of corporation as the other,
does it follow that the municipal government should
surrender, to such an extent as would be inevitable,
its control over the streets, the water rents, & the solidity
& capacity of the works? And all this for what purpo-
se? To save an inconsiderable amount in a work
of the utmost importance to the whole community, &
in which, therefore, those who represent the whole commu-
nity, would seem its most proper agents. The other
objection is that, the time has not arrived; that the
City should grow both in numbers & in wealth, before so
heavy a debt is added to its already heavy burdens. Ac-
cording to this argument, which implies entire disbelief
in all which goes to show the economy of the plan, the
City should wait till suffering & evil actually arrive, before
attempting to provide a remedy. The present impurity of
the water in the City is not enough. We must wait till it
becomes an intolerable nuisance, or till it obviously
produces disease & death. It is not enough that ma-

191. my instances are known to have already occurred, in which both the rich & the poor have been compelled to pay three or four times as much, for a small quantity of hard water, as the City would require in rent for an abundance of the purest quality, were the cost of the works as high as has been imagined by the opponents of the plan. It is not enough that wells should be dug, as they now are in this City, on speculation, & the cost, though heavy, should be paid in a year or two by those whose necessities compel them to purchase rights of the thrifty proprietors. It is not enough that in the more crowded parts of the City, the most violent contests should frequently occur, to obtain enough of a hard, brackish fluid, not for purposes of luxury, nor even of cleanliness, for it is incapable of answering either, but merely to sustain life in those filthy, wretched abodes of ^{squalor} poverty, which might at once be rendered comparatively neat & wholesome by an abundant supply of what has never yet been seen there, pure water. If we wait for the debt to be paid before we begin to introduce water, it will indeed be an indefinite postponement of the enterprise. But if there be any truth in what has now been urged, we should begin the works immediately, that we may be relieved from some of our present burdens, & therefore better able to pay off the debt. We should begin immediately, that we may attract residents, & induce them to remain with us, by the purity & abundance of our supply of water, among the many advantages of our City we should begin immedi-

city. That we may prevent the anticipated evils of 192.
an inadequate supply, as well as the present evils
of impure water. Whatever may be the inducements
of business or pleasure to a residence in the City. They
will assuredly be more than counterbalanced by a
scarcity of a necessary of life. A wise government
foresees evil, & provides a timely remedy. A prudent
government spends money for purposes that will
add to its resources. But however desirous the Com-
mittee may be to see a beginning of the important
work of supplying the City with soft water, they do
not think it expedient for the City to act under the
resolve of April 9. thinking it better to pursue the us-
ual course of applying directly to the legislature at
the earliest opportunity. They therefore recommend
the passage of the following resolve. For the Commit-
tee. Saml. A. Eliot. Resolved, That
it is expedient for the City to apply to the Executive of
the Commonwealth for the appointment of Commission-
ers, under the resolve of the legislature of the month
of April last, to examine the subject of the Introduc-
tion of Soft Water into Boston. Accepted in
Common Council. Came up for concurrence. Read
& concurred.

Ordered, That there be paid to Whitwell.

John D. Whitwell, the sum of two hundred & thirty five
dollars, in full for damages sustained by him by reduc-
ing a store which he occupied as a place to widen Milk
street, on his releasing the City from all damages.

193.
Covey.

Ordered. That there be paid to Edward Covey, the sum of four thousand four hundred & fifty two dollars & fifty one cents, in full for one thousand six hundred eighteen & one half feet of land, taken from his estate to widen Beacon Street, at the corner of Portland Street, including a part of a dwelling house which stood on the same, on his giving a good & sufficient deed of the same, & releasing the City from all further damage.

Payne.

Ordered. That there be paid to Samuel Payne, the sum of one hundred, ninety four dollars & fifty cents, in full for one hundred twenty five & one half feet of land taken from his estate to widen Salem Street, near Cross Street, on his giving a good & sufficient deed of the same, & releasing the City from all further damage.

Friend &
Hannover
Streets.

Ordered. That the Committee on public lands be authorized to sell the lot or parcels of land owned by the City, containing five hundred & forty six feet, situated at the junction of Friend & Hannover Streets, being part of the estate the City purchased to widen the above streets, on such terms as may be most for the interest of the City. Passed in Common Council. Came up for concurrence. Read & concurred.

Pickering &
of Limerick

Ordered. That there be paid to John Pickering, Esq. Executor of the last will & testament of Henry Limerick, late of Boston, deceased, the sum of six thousand eight hundred & eighty five dollars, in full

for one thousand three hundred & forty nine feet of land 194.
taken from said Simon's estate, situate at the corner
of Weaver & Friend streets, to widen said streets. Also a
piece of land belonging to the same estate lying between
Friend street & the Payne estate, so called, containing five
hundred & forty six feet of land, on his giving the City a
good & sufficient deed of the same.

Memorial of the primary Primary,
School board, on the subject of primary school rooms. Schools.
Read & referred to the joint-Committee on public build-
ings. Sent down for concurrence. The Common Council
non concurred, & directed the same to be referred to the Com-
mittee on public instruction, with such as the board of Ald-
ermen might join. Came up for concurrence. Read and
concurred. & the Mayor, Aldermen Farnam & Gurney
are joined.

The Special Joint-Committee who Primary
were instructed "to ascertain & report the present number & situa- Schools
tions of the Primary schools of the City, & to consider what
number of Primary school houses it will be necessary or
expedient for the City to procure or build during the pres-
ent year, with proper locations for the same & the proba-
ble cost thereof." have attended to the duty and ask
leave to report, that much of the business referred to them
has heretofore been in the hands of the Primary school
Committee; & for the number & situations of the several school
houses they beg leave to refer to the accompanying pre-
pared list. Prepared under direction of the Primary school

195. heard. The Committee have ascertained that 42 rooms
now belong to the City, & as these are far superior to
any which can be hired for the purpose it is of
course expedient for the City to proceed as fast as possi-
ble in the erection of such houses for the accommodation
of the several schools. with regard to the locations of
new school houses, the practice has heretofore been to act
upon any application which may be made by the prim-
ary school board, who are supposed to be best acquaint-
ed with the wants of the various sections of the City.
The annual appropriation of Twelve thousand five
hundred dollars has always been spent for the pur-
pose for which it was intended; & if it were larger
it could doubtless be used to advantage. The prin-
cipal difficulty is in the location for which a specu-
lar situation is needed. This cannot always be
obtained, & delay, or a little more expense is some-
times the consequence; but as far as the Committee
have been able to learn, as much care is exercised
in the selection of lots, & as much economy in the erec-
tion of the buildings as is done in any department
of the City service. The Committee are not aware
that any change in the practice of the City govern-
ment on this point is necessary or advisable. The
expense of the land is very different in different parts
of the City, varying from seventy five cents to two doll-
ars & a half per foot, the size of the lots differing also
very much. It is not possible to foresee the price of
the land, as the situation where a house will next be

asked for, cannot be known; but the cost of the building of two stories has generally been from five thousand to five thousand four hundred dollars. If another story should be added, as has been suggested in some situations, the cost would be increased several hundred dollars. It is contemplated to erect this year a suitable building on a lot between Carver & Pleasant streets, & on one between Mason & Washington streets, both of them on private courts, retired, safe & central situations which have been recently procured, & a third, if a satisfactory site can be obtained, on or near Fort Hill. It is probable also that South Boston will require another. Should these be erected, the appropriation for the year would be nearly or quite exhausted. The Committee having examined all the points referred to them, & finding nothing which seems to require a change, respectfully ask to be discharged. For the Committee. Saml. A. Eliot. Read & Accepted. Sent down for concurrence. Came up & concurred.

The Committee to whom was referred the petition of A. E. Betknapp, respecting an iron fence Granary burial ground, in front of the Granary burial ground, on Tremont street, reported as follows, viz. That said Betknapp met the Committee & requested that such a pattern for an Iron Fence in point of taste & economy might be agreed upon as would meet the views of the Committee & those that contribute towards the expense of the same.

147. This was but reasonable and met the approbation of the Committee. The Committee further report that considering the dilapidated condition of the present unsightly brick wall in front of said Ground, the conspicuous & central situation of the same, the beautiful appearance of the great variety of trees that cover it, are unanimously of opinion, that an Iron fence in front thereof which would permit a full view of the whole ground would add much to the ornament of the City. They accordingly recommend the passage of the accompanying order which varies but a trifle from the one presented by the Council. For the Committee, Henry Tarnam. Ordered, That the Committee on Burial Grounds & Cemeteries be authorized to build an Iron fence to the Granary Burial Grounds, on Tremont street, provided the City shall pay but one half the cost of the same, & not exceeding in any event the sum of twenty five hundred dollars, & that the expense be charged to the appropriation for a Reserved Fund. Read & Accepted.

City Wharf.

Ordered, That the Committee on public buildings be instructed to cause such repairs to be made to the City Wharf, as they may deem expedient upon examination; provided the cost thereof, shall not exceed the sum of sixteen hundred dollars, & that the expenses of the same be charged to the appropriation for incidental expenses and miscellaneous claims. Sent down for concurrence. Came up concurred.

The Committee on the sub-198.
ject of considering the expediency of setting cer- Fort Hill
tain land belonging to the City on Fort Hill, rep- land.
orted, as follows. viz. That after the passage of this
order, it was suggested that the City had no fee in
the land, & consequently could not convey the same;
the Committee therefore, deemed it expedient to re-
fer this question to the City Solicitor, who subsequen-
tly made a report that the City had an unquestion-
able title, & thereupon a plan was drawn by S. P.
Tucker of the whole premises belonging to the City, and
divided the same into lots agreeably to the views of
the Committee which is herewith submitted as part
of their report. That part of the premises situated
southerly of Belcher's Lane (so called) being partly
covered by a gun house, the Committee deemed it in-
expedient to offer any order upon the subject at the
present time, but in relation to the four lots situated
on the northerly side of Belcher's Lane, between that
& Washington Avenue, containing an aggregate of
six thousand two hundred & forty six square feet, your
Committee can perceive no valid reason why they
should not be sold, & therefore recommend the
passage of the following order. All which is respect-
fully submitted. For the Committee. Nathan Turner.
Ordered. That the Joint Committee on Public
Land be authorized to sell at public auction or private
sale, as they may consider most for the interest of the
City, such portion of the four vacant lots of land be-

199. Lying to said City on Fort Hill or Washington Place, situated between Washington Avenue & Belcher's Lane so called, as laid down on a plan drawn by S. V. Fuller dated Dec. 24th 1838 as they may deem expedient. Accepted in Common Council, & the order passed. Came up for concurrence. Read & concurred.

Mechanic
Association.

The Committee on Public Buildings on the application of the Mechanic Association, for the use of Faneuil Hall for the purpose of holding their fair in September next. Reported, That the prayer of the petition ought to be granted, & recommends the passage of the following order. For the Committee. Done! A. Eliot. Ordered. That the use of Faneuil Hall be granted to the Mechanic Association in September next, for a term of time not exceeding one month. Read. Accepted & the order passed.

Dyer
Church Street.

The Committee on the petition of Freeman, Mr. Dyer, & others, to have Church Street, accepted, that said street is not in a condition to be accepted as a public highway. Read and Accepted.

Rifle
Rangers.

The Committee on public buildings to whom was referred the petition of the Rifle Rangers to have their Armory lighted with gas, reported as follows, viz. That they are of opinion that from various considerations of safety, economy &

general accommodation, it is expedient that the up- 200.
per hall in Town Hall should be lighted with
gas at the public expense, & that pipes should be
laid into the armories of the several companies, by
which they may be furnished with the means of us-
ing gas at their own expense, if they see fit. The
Committee recommend the passage of the following
order. For the Committee. Saml. A. Eliot. Ord-
ered. That the Committee on Public Buildings be
instructed to cause gas pipes to be introduced into
the Upper Hall of Town Hall, & the several armories,
in such manner as they may deem expedient.

A message was received from Convention to
the Common Council, proposing a Convention of the elect Treasurer.
Two branches of the City Council, in the chamber of the
Common Council, on Thursday evening next, at eight
o'clock, for the purpose of electing a City & County
Treasurer. Read & thereupon ordered, that a message
be sent to inform the Common Council, that this board
concur in their proposition to form a Convention at
the time & for the purpose above expressed.

The board proceeded by Auditor of
Ballot to the choice of Auditor of Accounts, & upon the Accounts.
votes being taken, it appeared that William Hay-
den, Junior was chosen in concurrence with the Com-
mon Council.

Consulting
Physicians

The board proceeded by
ballot to the choice of Consulting Physician, and
upon the votes being taken, it appeared that
Doctors John C. Warren, George Maynard, John
Randall, & George C. Shattuck were chosen in
concurrence with the Common Council.

City Attorney

The board proceeded by
ballot to the choice of City Attorney, & the votes
being taken it appeared that Eldridge Gerry,
Austin was chosen. Sent down for concurrence.
Came up concurred.

Holland

The Committee on Streets
Harvard Street. To whom was referred the petition of Thomas Hill
and, praying, that certain buildings owned by the
heirs of the late Daniel Baxter, be removed back to
the line of Harvard Street, reported as follows. viz,
That the part of Harvard Street which said build-
ings now encroach upon was formerly a dock
that has been partly filled up by the Anti
Circ Corporation. It is not at present com-
pleted & will not probably be accepted by the
City as a public highway for two years to come.
The present owners of said buildings have prom-
ised your Committee that they will either remo-
ve them back to the line of the street or pull them
down entirely as soon as public convenience
require it, or this board directs it. but as that
time has not yet arrived in the opinion of yours

Committee and as they deem it highly improper. 182.
to use this power except for public good they
ask to be discharged. For the Committee.
Henry Tarnam? Read & Accepted.

Petition of William Wil. Millet
to be paid for his land taken to extend Black-Blackstone
stone street. Referred to the Committee on streets. Street.

Petition of Wilder Harding, Harding
to be paid the damage which he has sustained in Court house
taking the building, which was leased to him, for land.
a term of years, to widen the street or way around
the Court house. Referred to the Committee on
streets.

Petition of Joseph Wier, Wier
& others, praying, that the City would agree to submit Court house
to reference, the demand which they have against land.
the City, for taking their land to widen the street
around the Court house. Referred to the Com-
mittee on streets.

Memorial of Harrison G. His
City, for himself, & in behalf of the proprietors (Chas. Street
of Mount Vernon, respecting that part of Chas. Street
not street, lying west of Charles street. Referred
to the Committee on streets.

Ordered, That the City, (Mar. Commercial
Hall) notify every owner of the vacant lot, or lots of street.

203. ground on the west side of Commercial Street between Lewis & Fleet Streets to cause their side walks to be plank'd. Also the lots on both sides of Fleet Street between Ann & Commercial Streets to be paved.

Blackstone
street.

The Committee on public lands, made a report & an order respecting the sale of a lot of land, owned by the City on Blackstone Street as follows viz, That they suggest for the consideration of the City Council the expediency of selling a lot, or strip of land owned by the City on Blackstone Street, between the estate of the heirs of Beza Tucker deceased & said street containing Three hundred & two square feet as per plan herewith communicated. As said heirs are about selling said estate, & expressing a desire to purchase the flat owned by the City, to bring their lot to the street: upon an examination of the plan & considering the shape & dimensions of the lot owned by the City, its local situation in connection with the Tucker estate, the Committee had no hesitation in recommending the passage of the following order - which is respectfully submitted. For the Committee, Nathan Curney. Ordered, That the Joint Committee on public lands, be authorized to sell the piece or strip of land owned by the City containing Three hundred and two square feet, situated on Blackstone Street, between the estate of the heirs of Beza Tucker, deceased & said street, on such terms as they may deem most for the interest of the City. Accepted and the order

passed in Common Council. Came up for concurrence. 204.
ence. Read & concurred.

Petition of G. M. Van Pelt
to have the common sewer in Washington street (resp. Washington
east, between School & Court streets. Referred to Street
The Committee on drains & sewers.

Petitions of James T. & Ken Hall &
Hall, junr. & Robert S. Badger, to be relieved from Badger.
The payment of a share made upon them for
a common sewer in Prince street. Referred to the
Committee on drains & sewers.

And now it appearing, Causeway
to this board that notice has been given to all Street.
persons interested to appear at this time, & show
cause if any they have why a common sewer should
not be laid in Causeway street, between Lancaster
& Canal streets, & the expense thereof be ap-
ported on all persons benefited thereby according to
the order of this board passed on Monday last, and
no person appearing to object, it is thereupon or-
dered, that the Committee on drains & sewers be
& they are hereby authorized to cause said sewer to
be laid, if they shall deem it expedient.

Petition of A. E. Belknap Belknap
nap. & Joseph Head, Executors of the will of Mary, Granary
Belknap, praying that measures be taken to prevent burial ground.

205. Petition of the proprietors of Park Street Church for
throwing the water from the roof of their edifice up
on the tomb in the Granary burial ground, in which
the remains of said Mary's Jeremiah Bicknap are
deposited. Referred to the Committee on burial
grounds.

Jarvis.

Petition of Orming Jarvis
for leave to make vault under the side walk of his
house in Summer Street, for Coal. Referred to the
Committee on paving with full powers.

Raymond
Ward room
No. 1.

The Committee to whom was
referred the petition of Z. L. Raymond, & others,
to the ward room of Ward No. 1. furnished, reported
as follows, viz. That the Ward Room under the new school
house in North Bennet Street ought to be fitted up in
the usual manner, & recommended the passage of the
following order. For the Committee. Saml. A. Eliot.
Ordered. That the Committee on public buildings
be instructed to cause the Ward room in Ward. No. 1. to be
fitted up in the usual manner. Read & Accepted.

Petition of Robert Waterston,
Waterston. & others, praying that the land on Fort Hill belonging to
the City may not be sold. Referred to the Committee on
public lands. Sent down for concurrence. Came up
concurred.

Suffolk
Light guards.

Petition of the Suffolk
Light guards that a room may be assigned them

in Taucuic Hall for an Armory. Referred to the 206.
Committee on public buildings on the part of
this board.

Petition of Thomas J. Lee. To be
allowed to have Lincoln & Beach streets graded & gravelled. Referred to the Committee on paving. Beach street.

Memorial of William and Sister
Leonard Foster respecting side walks & filling up Broad
the street in front of their estate in Broad street.
Referred to the Committee on paving.

Ordered, that the Committee on public buildings be instructed to inquire into buildings
the expediency of appointing an officer whose duty, Superintendent,
it shall be to ascertain the necessity of any repairs
or alterations asked for in any of the public buildings
belonging to the City or County, & to superintend their
execution when ordered by the board of Aldermen,
or the Committee of the City Council on public build-
ings. Put down for concurrence. Came up con-
curred.

Petition of Andrea Gaggi Gaggi.
for a license to exhibit a Panorama in a building
on Court Street. Referred to the Committee on licenses.

On the petition of Nathaniel Vinal
Vinal for leave to dig a well in Charter street, and
to dig a trench to lay a suction pipe across Common street.

207
and street. Your Committee recommend that leave
be granted to take up the pavement, on condition
that the petitioner secures the top of the well with
plaster & places the street in as good condition
as they are at present, at his own cost, the whole
to be done within thirty days. The Committee do
not recommend to the Board to grant leave to dig
a well in the street, as they doubt whether there is
any authority vested in them, but the petitioner
can do it on his own responsibility. For the Com-
mittee. Samuel Quincy. Read & Accepted.

Washington

The Committee to whom was
referred the petition of the late Washington Light
Infantry, praying leave to retain the room occupied
by them, as an Armory by the new Company which is
about to be raised, reported, that the prayer of said
petition ought to be granted. Read & Accepted.

Treasurer's
accounts.

The Committee appointed to au-
dit & settle the accounts of the City & County Treasurer,
reported as follows, viz. That they find the accounts
correctly stated, & there are proper vouchers for the same.
The Committee find that there has been received at sun-
dry times, since April 30th 1838 for account of the City
of Boston, Nine hundred fifteen thousand, one hundred
& ninety, dollars & ninety, cents, & that there has been paid
on the same account, Eight hundred twenty two
thousand three hundred & twenty eight dollars and

eighty one cents, leaving a balance due to the City, 208.
of Ninety One thousand eight hundred & sixty two dol-
lars, leaving a balance due to the City of Ninety
One thousand eight hundred & sixty two dollars
& nine cents. The Committee also find, that there
has been received on account of the County of Suff-
olk, Thirty five thousand four hundred & forty
two dollars & sixty four cents, & that there has been
paid on the same account Fifty five thousand one
hundred & twenty five dollars & eighty four cents, lea-
ving a balance against the County of Nineteen thou-
sand six hundred & eighty three dollars & twenty
cents. And leaving a final balance in the Treas-
ury of Seventy three thousand one hundred & seventy
eight dollars & eighty nine cents. And that the
notes paid by the Treasurer have been duly can-
celled. Accepted in Common Council. Came up
for concurrence. Read & concurred.

Adjourned to Thursday next
seven & a half of Clock P.M.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Thursday, the twenty third day of May: A. D. 1839.

Present.

The Mayor, Aldermen Wetmore, Gurney, Maynard, Quincy & James Harris.

In Convention.

Treasurer

sworn May 24.

1839.

Agreeably to a signment, the two branches of the City Council met in Convention in the Chamber of the Common Council, for the purpose of electing a City & County Treasurer. Alderman Wetmore, Messrs. Wells & Shipley were appointed to receive sort and count the votes: who reported that the whole number was forty four. Richard G. Harris had forty four, & he was unanimously chosen. The business of the Convention being accomplished the two branches separated.

Dexter

On the petition of G. M. Dexter, Washington Street, to have the Common Sewer in Washington Street, between Milk & School Streets deepened, ordered, that an order of notice be issued, returnable on Monday next at 10 O'Clock P. M. for all persons interested to appear & object to the same, if they see cause.

(Adjourned to Monday next.
four O'Clock P. M.)

280.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty seventh day of May, 1839.

Present.

The whole Board of Aldermen, except Alderman Hayward.

The Mayor being absent Alderman Melroe was chosen Chairman *pro tempore*.
Chairman *pro tem*.

Orders of the Common Council appointing the Committee on Public Instruction, with such as the Board of Aldermen might join, a Committee to report upon the original organization of the primary school committee; its responsibility; its claims to power; and in general upon the control of the City government over said Committee & its proceedings & what steps, if any, it is expedient for the City government to take relative to the management of the primary schools. Came up for concurrence. Read and concurred, & the Mayor, Alderman Farnam & Gurney are joined.

The Committee to whom was referred the petition of Mary Garrabee, for compensation for injury done to her son, & for loss & expense which she unavoidably incurred to the subject, reported as follows viz. That they have carefully investigated the circumstances of the case, which is one of peculiar hardship, & are satisfied that justice requires some compensation to be made by the City for an injury inflicted by their agents. There was no unnecessary exposure on the part of the child: he had repaired to a place believed by others as well

211. as himself to be safe; & the injury was so severe as to end-anger his life, & to confine him to his bed for several weeks. Under these circumstances, the Committee are of opinion that the sum of two hundred dollars is not more than is rea-sonable to pay to a widow who depends on her own exertions so-ly for the support of herself & her only son. They therefore recommend the passage of the following order. For the Com-mittee. Saml. A. Eliot. Ordered, That there be paid to Mary Garrabe, the sum of two hundred dollars, provi-ded she will relinquish all further claim for damages ag-ainst the City for injury done to her son, & that the same be withdrawn from the appropriation for "incidental expen-ses & miscellaneous claims." Read & Accepted. Sent down for concurrence. Came up concurred.

Vazro Johnson School House. The joint Special Committee to whom was referred the petition of John Vazro & others, praying that the vacant land situated between the Johnson School House & Tremont Street may be reserved by the City for an enlargement of the School house yard, have had the same under consideration & for reasons set forth in said petition have instructed me to report the following order, which is respectfully submitted. For the Committee. Nathan Gurney. Ordered, That the vote passed by the City Council on the twenty ninth day of April last aut-horizing the Committee on Public Land to sell the vacant land owned by the City situated between the Johnson School House & Tremont Street be re-considered and that the said land be & hereby is appropriated for -

the use & benefit of said school by securing better light, &c. &c. promoting a free circulation of air & affording or more extensive play grounds for the pupils, & that the Committee on public buildings be authorized to erect a suitable wooden fence in front of said estate on Tremont street & to remove the inner fence near the School House if they find it necessary, & also to make such alteration & improvements on the surface of the yard as the circumstances may seem to require, and also to pave the sidewalk in front of the estate. Read, accepted & the order passed. Sent down for concurrence. Came up concurred.

Ordered, That the persons hereinafter named, be & they are hereby appointed to the respective offices following, viz. Hermanus Emerson & Nelson Hartshorn, fence viewers. Benjamin Clark & Benjamin Suchis, cutters of dry fish. Benjamin Clark & James Brown, cutters of hoops & staves. Francis James & Samuel Sprague, Inspectors of lime. Louis J. Sauvé, & Bay Master. Thomas Gerrish, John Toole & Ephraim Breck, Field Drivers. Benjamin Rich, Surveyor of Hemp. Thomas Gerrish, John Toole & Ephraim Breck, pound keepers. Sent down for concurrence. Came up concurred.

Order of the Common Council of the City of New York concerning the petition of Cyrus Alger, & others, to have a Ward room, & School room, erected in Ward No. 12 as follows, viz. so much as relates to the Ward room to the joint Committee on public buildings & so much

213. as relates to school rooms to the Committee on public instruction, with such as the Board of Aldermen might join, to consider & report. Came up for concurrence. Read & concurred, & the Committee on public buildings is joined.

India &
Central
Wharves.

Memorial of the proprietors of India Wharf, & the Central Wharf & wet dock corporation, offering to cede to the City, a piece of land for a street thirty six feet wide, from the head of India wharf, to the street in front of the New Custom House. Referred to the Committee on streets.

Dodge
Fort Hill Land.

Petition of Catherine Dodge, & others to have the lanes in & about Fort Hill laid out & widened. Referred to the Committee on streets.

Sears.

Petition of John Sears, for a license to exhibit animals, in Haverhill street. Referred to the Committee on licenses.

Guzzi

The Committee on the petition of Andrew Guzzi, for a license to exhibit a Pirana at Store No. 106 Court street. Reported, that a license be granted as prayed for. Read & accepted.

Winston Blues.

Memorial of the Committee of the late company of Winston-Blues, surrendering to the City, the room lately occupied by them, as an Armory, & that the same be granted to the High-

Land Guards. Referred to the Committee on Public Buildings 234.
on the part of this board.

Petition of M. Hopkins, Agent Welch
for Messrs. Welch, Bartlett & Co. for a license to exhibit a Giraffe.
Giraffe or Camelopard, & other animals in this City
for one month. Read & thereupon ordered, that a lic-
ense be granted to exhibit the same in the City Hall
estate for twenty days, & that the circular building to
be erected for the purpose be allowed to cover a part
of the City land west of the New Court House.

Petition of Joshua Burgess for Burgess
a license to exhibit J. N. Hickings Equestrian exhibit Equestrians.
in on the vacant land between Charleston and
Maverhill Street. Referred to the Committee on Licenses.

The Committee on the notice of Notice
the intention to build on the corner of Summer & South intention to
Street, reported, that a strip of land has recently been build.
taken from said Cole's lot on Summer Street, the line
of the street will be seen by reference to the plan. Read
& accepted.

The Committee on the petition Jarver.
of Orming Jarver to construct arches under the side walk
in Summer Street, reported, that the prayer of said pet-
ition be granted on condition that the work be done at
the expense of the petitioner & to the satisfaction of the Com-
mittee removable at the pleasure of this board.

Read & accepted.

On the petition of G. M. Dexter
 to have the common sewer in Washington Street between Mill
 Washington St. & School Streets, deepened. And now it appearing to this
 board that notice has been given agreeably to the order pass-
 ed at the last meeting of this board, & no person appear-
 ing to object, it is thereupon ordered, that the Committ-
 ee on drains & sewers be & they are hereby authorized to
 cause said sewer to be deepened as prayed for, if they
 see fit.

Willet
 Blackstone
 Street.

The Committee on streets, to whom
 was referred the petition of William Willet to be paid for
 a piece of land, taken from his estate to extend Black-
 stone street, reported as follows viz. Blackstone Street
 was laid out in the year 1833. Prior to said laying out,
 Commissioners were appointed by the City to survey the
 land required for a street, & to appraise the damage
 that each owner of estates would sustain by taking a
 part of their land for said street. It appears that
 a piece of land containing one hundred & eighty two feet
 was taken from said Willet's estate which was then situa-
 ted in North Federal Court. Had said Commissioners,
 been invested with power to assess the owners of estates for
 betterments, said Willet would certainly have been char-
 ged for raising the value of the remaining land now
 fronting on a street sixty feet wide is worth double what
 it was formerly, which was located on a narrow obscure
 Court, and that said Willet is not entitled to any dam-
 age. They accordingly ask to be discharged. For the Commit-
 tee, Henry Tarnam. Read & Accepted.

whom was referred the petition of H. D. Shaw, & others, Shaw
 praying, that Somerset Court be continued to Brixton Somerset
 Street, as a public street, reported as follows, viz. That said Court
 petitioners, inform the board that "it is understood
 that the Proprietors of that Court are willing to open it,
 without charge, & it is believed that, to the two estates
 to which the intermediate land belongs, the benefit would
 be so great, that but a small compensation could
 be claimed or awarded for the land that would be
 required" In answer to the above remarks J. S. Bon
 (Cous of J. Benden, Jr. have remonstrated against
 said project saying "that it will require about four
 thousand six hundred feet of their estate for the contin
 uation of said Court, the full value of which must of
 course be paid by the City, & ^{that} in addition to the value
 of the land taken; the damages that would ensue
 to them would be very considerable, as it will leave
 that part of their estate lying on the north side of
 said proposed continuation of said Court of insuffi
 cient depth to allow the same to be divided into
 lots having fronts on said Court; For the above
 reasons & not being able to perceive that public
 convenience will be promoted by the continuation of
 said Court, the Committee report against the pray
 er of said petition & ask to be discharged. For the
 Committee, Henry Barnum, Read & Accepted.

The City Marshal reported,

217. That he had notified the owners & agents on Shorthall Street,
City Marshals Pearl Street & Hanley Street to lay their side marks of
returns. recd by the order passed the sixth instant.

Do.

The City Marshal reported,
that he had notified the owners of real estate on Broad
Street, between Purchase & Summer Streets to place
their side marks agreeably to the order passed the
sixth instant. which reports were read & filed.

May 30, 1839.

Alfred T. Wellington, of
Ward No. 4 & Edward Blake, of Ward No. 7 mem-
bers elect of the Common Council appeared at-
tended by Messrs. Grant & Hutchins & took the sever-
al oaths required by law; to qualify them as mem-
bers of said Council, which oaths were administered
to them by the Mayor.

Adjourned to Monday next,
four O'Clock p.m.

218.

At a meeting of the Board of
Aldermen of the City of Boston, held at City Hall, on
Monday, the fourth day of June, A. D. 1839.

Present.

The Mayor, & the whole Board of Aldermen.

Whereas the Board has been in-
formed that sundry persons are in the habit of taking
& carrying away stones & ballast from Deer Island, in Bos-
ton Harbor, belonging to the City, contrary to law, & to
the damage & injury of said Island, it is therefore Or-
dered, That all persons who shall hereafter be detect-
ed in the commission of any of the trespasses and
depredations aforesaid, be forthwith prosecuted to the
utmost penalty of the law.

The Committee on Com-
mon Sewers, report, that the Common Sewer in the
in street between Ann & Hancock streets is very old
& badly constructed, & rapidly going to decay, so
that it will probably, in a short time, be necessary
to have the same taken up & relaid & that it is the
intention of the Committee on paving to recommend
that said street should be repaved the present sea-
son. It will be obvious to the Board, that it will
save much expense to the City, if the Common Sew-
er be taken up & relaid before the paving is done,
& the Committee therefore recommend the passage
of the following order. For the Committee. The Wet-
more. Ordered, That notice be given to all persons

219.

one interested, to appear & show cause, if any they have, on Thursday the twentieth day of June next at four O'clock P.M. why the Common Sewer in Union Street, between Ann & Hummer streets, should not be taken up & relaid & the expense thereof assessed on all persons benefitted thereby. Read & Accepted.

Stetson

Broad Street.

The Committee on Streets

recommend the passage of the following Order. For the Committee, Henry Farnam. Whereas the Board of Aldermen have ordered Broad Street to be widened by taking part of a building at the corner of Broad Street & the street leading to Audin Wharf belonging to Amasa Stetson. It is therefore hereby agreed between the said parties, that the sum of seven hundred dollars be considered as the full amount of damages sustained by said Stetson by the taking down & rebuilding, & setting back of the front wall of his said building for the purposes aforesaid, which shall not be construed into an assent on the part of said Stetson to the cutting off of his store & taking from him the land on which it stands. Nor shall its tendency in any wise be to lessen the amount of damages which he is entitled to receive for the portion of his stores which the City have resolved to cut off & for the land on which it stands. But that it shall in every respect be considered the same as though the City authorities should cut off the portion of said stores

& rebuild the same, or contract with a stranger to 220.
(in the same. Read & accepted.)

The joint-Committee to whom Printing.
was referred the petition of the publisher of the Herald
together with an order instructing the same Committee
to report if any alteration is necessary in the present
mode of publishing the Ordinances of the City have
considered the subject & submit the following report:
That the expense heretofore incurred for publishing the
Ordinances & Advertisements of the City Government
has amounted to between Fifteen & Eighteen Hunder-
ed dollars per annum. This great expense the Com-
mittee believe to be improper & no ways beneficial to
the City. They find a City Ordinance likewise touch-
ing the subject of printing which compels the govern-
ment to print all the Ordinances, & all the orders
of the Mayor & Aldermen in the newspapers printed
by the printer for the Commonwealth. The Commit-
tee consider this as an unnecessary restriction & submit
an Ordinance for the repealing of the same which forms
a part of this report. The City will then be at liberty
to employ such printers as will be willing to do the
printing for a reasonable compensation, & they believe
that the sum of one hundred & fifty dollars per annum for
the Daily Newspapers will be ample & sufficient & that it is
not at all necessary to publish in seven newspapers as has
been the practice heretofore. With these brief remarks the
Committee submit & recommend the passage of the following
order. For the Committee. Henry Farnum. Ordered, That

221. The sum of one hundred & fifty dollars per annum be allowed & paid to the Atlas for publishing the Ordinances & advertisements of the City Government. & that the sum of one hundred & fifty dollars per annum be allowed & paid to the Daily Transcript. The Boston Morning Post, & the Mercantile Journal provided they are willing to do the above named printing for the City for one hundred & fifty dollars each. Read, accepted & the order passed as amended. Sent down for concurrence. Came up concurred.

Ordinances.

An Ordinance relating to the promulgation of the ordinances of the City Council. Read & passed. Sent down for concurrence. Came up concurred with an amendment. Read & now concurred.

City Hall.

The Committee on the erection of a new City Hall, who were instructed to purchase certain estates, reported as follows, viz. They ask leave to state to the Council, that they have agreed to purchase the Richardson Estate & the Sullivan Estate on Court Square, & that belonging to the heirs of the late Dr. Freeman in School Street on the following terms, viz:

The estate of the heirs of Richardson for \$37,433.00

Mrs. Sullivan's " 9,500.00

The Freeman Estate " 12,442.50

Amounting in the whole to \$59,375.50

As it is possible that the measurements of the several estates may not be perfectly accurate, the sums may vary, to some inconsiderable extent, from the amounts

Here specified. The Committee however believe that 222.
the following order, the passage of which they recom-
mend, will cover the whole expense. Saml. S. Eliot,
Henry Farnam, Samuel Quincy, Eliphaz Williams,
James M^r. Allaster, Thomas Moulton, J. Preston,
John B. Wells, Committee. Ordered, That the
Treasurer be & he is hereby authorized to borrow, un-
der direction of the Committee on Finance, the sum
of sixty thousand dollars, for the purpose of making
payment for the estate purchased by the Committee
over the erection of a new City Hall, in the vicinity of
the old Court House. Read, accepted & the order pass-
ed on the passage of the order, the yeas & nays being requi-
red agreeably to the rule of the City Council, & were as
follows, vizt. Yeas. Aldermen Farnam, Wetmore, Gar-
ney, Hayward, Quincy & James Harris, 6. nays none.
Sent down for concurrence. Came up concurred.

Remonstrance of the prop. Merwin
rectors of the Merwin Railway against taking their Railway
estate to widen Commercial Street. Referred to the
Committee on streets.

Petition of James Galt, Garland
and, & others to have Beach street widened. Referred Beach Street
to the Committee on streets.

Petition of Joseph M. Dravitt
Dravitt, & others, to have Fleet street widened. Ref. Fleet Street
erred to the Committee on streets.

Notice of William Hammond,
Hammond protesting against the City's acquiring any right in or
Williams Street over a certain strip of land, which he claims, in Williams
Street. Referred to the Committee on Streets.

Gray
Broadway & South
Streets. Petition of John W. Gray, sta-
ting, that in grading the streets at South Boston, viz.
Broadway & Fourth streets, a portion of both was
left in an unfinished state &c. Referred to the Com-
mittee on paving.

South
Boston. A message was received
from the Common Council, requesting this board to
assign an early day in June next, when the City
Council may visit South Boston, for the pur-
pose of examining the public Institutions at that place
belonging to the City. Read & referred to the Mayor
with full power.

Greenough
Richmond
Street. Petition of William Green-
ough, & others, to have the common sewer taken up
& relaid in Richmond Street. Referred to the Comm-
ittee on drains & sewers.

Merrill. Communication of Daniel
Merrill, respecting supplying the City with Marble
to build the City Hall, from the quarry on Deer
Isle in the State of Maine. Read & referred
to the Committee on the City Hall. Sent down for con-
currence. Came up concurred.

Shepherd. Petition of James Shepherd

Heed, to be remunerated the loss & damage he has sust- 224.
ained in being run over by a horse carriage on an
alarm of fire, by which he was wounded & much inj-
ured, & put to great cost & loss of time. Referred to the
Committee on the fire department.

Ordered, that there be paid Dickinson
to Daniel Dickinson, the sum of twelve hundred, seven- North square
ty seven dollars & three cents, in full for Three hundred Garden Court
fourteen & four twelfths feet of land, taken from his street.
estate on North square, to widen Garden Court street,
and Three hundred sixty six & nine twelfths feet of land
taken into said square, on his giving a good & suffi-
cient deed of the same, & releasing the City from all
further damages.

Ordered, that there be paid Fearing
to Lincoln Fearing, the sum of sixty six dollars, in Richmond
full for damages sustained by him in taking a street.
piece of a store occupied by him as lessee, to wid-
en Richmond street, on his releasing the City from
all further damage.

Ordered, that the City, Ward Gridley & Oliver
have notify the owner of a lot of land on the west side of Gridley street,
Gridley street, to cause the side walk to be paved. Also the
owner of the vacant lot or lots of land on the west side
of Oliver street, to cause the side walk to be paved or plan-
ked according to law.

The Committee on the petition George
of Catherine Lodge & others, to have the streets & lanes in Fort Hill.

225. & about Fort hill laid out & evidenced, reported as follows, viz. That the Committee on Public Lands after much deliberation deemed it right & proper to lay out, into convenient lots the vacant land on Fort hill which is owned by the City, & to surround the same with a light fence to mark the bounds of each lot. Said Committee likewise prepared an order recommending the sale of said lots which passed the Common Council and the Board of Aldermen. This Committee therefore consider it highly improper to recommend any different course on a measure so recently settled by the City Council when they are not aware that any new light has been obtained on the subject, & they ask to be discharged. For the Committee, Henry Farnam.
Read & accepted.

Oliver
South bridge.

The Committee on Bridges to whom was referred the petition of Weyal Oliver, praying that the City would cause a small building to be erected on the pier of the South bridge, reported as follows, viz. That the prayer of the petition ought to be granted, provided the cost of the building does not exceed one hundred & fifty dollars. For the Committee, Shes. Huntington. Read & accepted.

McColson
E. Street.

The Committee to whom was referred the petition of Samuel McColson, & others, praying that E. Street between Second & Third streets, be opened, reported, that it is inexpedient to open said

Street at the present time. Read & Accepted. 226.

The Committee on the applica- Sears.
tion, of John Sears, for a license to exhibit liv-
ing animals on Waverhill street for two weeks, re-
ported, that a license be granted during the pleas-
ure of this board. Read & Accepted.

The Committee on the applica- Burgess
tion, of Joshua Burgess for a license to exhibit
J. H. Stockings equestrian exhibition on the burnt
land between Charlestown & Waverhill streets for six
days from June sixth, reported, that a license be
^{during the pleasure of this board.}
granted. Read & Accepted.

The Committee on the Bradshaw
petition of Bradshaw & Parker, for leave to sell
fire works, reported, that it was within the power
of the board to grant the prayer of the petitioner.
Read & Accepted.

The Committee on the Suffolk Light
several applications of the Suffolk Light guards, & Highland
& Highland guards for rooms in Faneuil Hall, guards.
for armories, reported, that there is no objection
to granting the prayer of the petitioners. Read &
Accepted.

The Committee on the pet- Holmes.
ition of Daniel Holmes, & others, for leave to build
arches under the side tracks in Tremont street, repor-
ted, that the prayer of the petition be granted, on

227. condition that the work be done at the expense of the petitioners & to the satisfaction of the Committee, removable at the pleasure of this board. Read & accepted.

The Committee on the petition of Brewster, Stevens of Brewster, Stevens & Cushing, for leave to construct & Cushing. arches under sidewalk Washington street, reported, that the prayer of the petition be granted, on condition that the work be done at the expense of the petitioners & to the satisfaction of the Committee removable at the pleasure of this board. Read & accepted.

Adjourned to Monday next, four O'Clock p. m.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the tenth day of June, A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen, except Alderman Tarman & James Harris.

Sever & drains

Superintendent
chosen.

The board proceeded by ballot, to the choice of a Superintendent of sewers & drains, and the votes being taken, it appeared that Charles B. Wells was chosen, in concurrence with the Common Council.

Sheriff
Sumner.

Sheriff Sumner's account, offered by his Executrix. Referred to the Committee on County accounts.

Petition of Thomas Drummond for compensation for care & nursing Thomas Scott, sick with Small pox. Referred to the Committee on Internal Health. 228. Drummonds.

Petition of Caled Hartshorn. Hartshorn. to have a tax abated. Referred to the Committee on accounts on the part of this board.

Petition of the Wardens of Trinity Church to be paid for land taken from the Church. Trice estate to make a street around the new Court House. Referred to the Committee on streets.

Petition of Edward Coverly. Coverly. to have the name of Deacon Street changed to such Deacon bury Street. Referred to the Committee on streets. Street.

Ordered, That the report of the Committee on the petition of Norton Newcomb, who is about erecting a building on Unity street, & was accepted by this board on Tuesday the twenty second of May last, requiring said building to be placed on the present line of the street be reconsidered, & that the following resolution be adopted in lieu thereof, viz: Resolved, that the safety & convenience of the inhabitants require that Unity street be widened, & that the same is hereby widened, by taking a piece of land from the estate of the said Norton Newcomb's estate, bounded as follows, viz: Beginning at the southeasterly corner of said estate on the present line of the street, thence running north-

Newcomb. Unity St.

229. westerly one foot. thence northeasterly forty one foot nine inches. thence southeasterly one foot to the street, thence by said street forty one foot nine inches to the point of beginning. taking from said estate forty one & three quarters feet of land.

Knight
Washington
Street.

The Committee on the notice of intention to build on Washington Street, opposite Green-Place, of Edmund L. Knight, reported as follows. viz. That they found the building he proposed erecting already far advanced toward completion. that it is only a temporary wooden building of one story high, similar in construction to others lately erected on either side. the Committee, therefore, are of opinion that no action of the Board is necessary further than that the front of the building does not project beyond the present line of the street. For the Committee, Nathan Surney. Read & accepted.

Greenough
Richmond
Street.

The Committee on the petition of William Greenough & others, to have the common sewer in Richmond Street taken up and relaid, & the expense thereof assessed according to law, reported, that an order of notice be issued, returnable on Monday next. four o'clock p.m. Read. Accepted & ordered accordingly.

Stamwood
Williams
Street.

The Committee on the communication of William Stamwood, in relation to his claim in a piece of land on Williams Street, reported, that no action of the Board is necessary other than

to place the communication on file. Read & accept 230.
Ad.

Communication of the Aqueduct
Aqueduct Corporation in relation to supplying Corporation
the City with water. Referred to the joint Com-
mittee on water. Sent down for concurrence.
Came up concurred.

The City Marshal on Bradford
The petition of John Bradford, & others, to have mag- Chairs.
ons & carts with chairs, for sale, prohibited from
standing in Dock Square, reported, that the square
east of the City Stables, be assigned as a stand for the
same. Read, accepted & ordered accordingly.

Petition of Ezra Trull, & others, for leave to sink a well in Causeway street. Causeway
Referred to the Committee on paving. Street.

Ordered, that the Committee Causeway
on paving cause Causeway street between Canal & Merri- Street.
mac streets to be paved, & that the City Marshal notify Hamilton.
The abutters to furnish the edge stones. Also to cause Atkinson.
Hamilton street to be repaved, on condition that the
abutters cause the side walks to be paved at their own
expense. Also to cause Atkinson street to be repaved.

The form of a license for deal Sellers to
sell in second hand articles was reported, & adopted by, similar form.
the board.

231.

John Matthews. Junk dealer,
Second hand rear 58 Commercial Street. William S. Jennings
dealer. Second hand cloaths. No. 109 Court Street. and John
granted. Robinson, second hand cloaths. No. 42 Beattle
Street licensed.

Rejoined to Monday next,
June 8th 10 o'clock p.m.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall,
on Monday, the seventeenth day of June A.D. 1839.
Present.

The Mayor & the whole board of Aldermen, except
Alderman Tarnant.

City
Solicitor.

The board proceeded by ball-
ot to the choice of City Solicitor, & the votes being taken
it appeared that John Tickering was chosen by a un-
animous vote in concurrence with the Common Council.

Sealers of
Weights and
Measures.

John M. Dearborn & Edward
Doring were nominated & appointed sealers of weight-
measures.

Funeral

Undertaker.

Franklin Smith was nomi-
nated & appointed a funeral undertaker.

Cooper
Street.

Resolved, That the safety and
convenience of the Inhabitants require that Cooper Street
be widened; & that the same is hereby widened by taking

ing a piece of land from the estate of Benjamin Binney, & the land so taken is made a part of the Street or highway & bounded as follows, viz. Beginning at the Southern corner of land belonging to Benjamin Binney from thence running north easterly, one foot. Then running north westerly thirty nine feet two inches, then running south westerly one foot two inches to the present line of said street, then running South easterly thirty nine feet two inches to the place of beginning, making said Cooper Street thirty two feet wide, & taking from land of said Binney forty two one half square feet.

Resolved, That the safety, convenience & convenience of the Inhabitants require that Tremont Street be widened, & the same is hereby widened by taking a piece of land lately belonging to Elizabeth Deblois deceased, & the land so taken is made a part of the street or highway & bounded as follows, viz. Beginning at the Southern corner of land lately belonging to Elizabeth Deblois, deceased. & the land so taken is made a part of the street or highway & bounded as follows, viz. Beginning at the Southern corner of land lately belonging to Elizabeth Deblois, deceased. From thence running north westerly by a straight line one hundred & twenty, feet four inches to a point on the easterly line of Tremont Street, twenty one feet ten inches distant, north easterly from the building standing on the opposite corner of said Tremont & Brom-

field street, then running southwesterly by said Tremont Street one foot ten inches to the present line of said Bromfield street, then running southeasterly by said present line of said Bromfield street one hundred & twenty feet four inches to the place of beginning taking from said lands late of said Petter, deceased, one hundred ten feet & one quarter as marked on a plan drawn by J. P. Fuller, dated —

Purchase
Street.

Resolved, That the safety and convenience of the Inhabitants require that Purchase Street should be widened & the same is hereby widened by taking a piece of land from the estate of Susan Cotton, widow of John Cotton, containing ninety one & three quarters square feet. & the land so taken is made a part of the Street or highway, viz. Beginning at a point in the Northwesterly side of Purchase Street, at the distance of forty four feet northeasterly from Pearl Street, & thence running southeasterly by said Purchase Street one foot & three inches; thence running northeasterly by said Purchase Street sixty two feet and nine inches; thence running northwesterly one foot & eight inches to the southerly corner of a brick house belonging to — thence running southwesterly sixty two feet & nine inches to the point of beginning, containing ninety one & three quarters square feet.

Massachusetts
Light
Infantry.

Section of the Massachusetts
Light Infantry for an Armory in Faneuil Hall.
Referred to the Committee on Public Buildings on the

part of this board.

934.

Petition of the Tutashie Tutashie guards for an Army at South Boston. Reference to the Committee on Public Buildings, on the part of this board.

Petition of Isaac Parker, Parker to have Beach Street widened. Reference to the Com. Beach St. Committee on Streets.

Petition of Henshaw, Ware Henshaw, & Company to have Fifth Street opened. Reference to Ward & Co. Fifth St. the Committee on Streets.

Notice was received from Ordinance the Common Council that they insist in their proper or all amendment to the ordinance relating to the promulgation of the ordinances of the City Council. Reads thereupon our ordered, that the further consideration of the same be indefinitely postponed.

Ordered, that the Daily Centinel & Gazette, the Daily Evening Transcript; the Atlas; The Boston Morning Post, & the Mercantile Journal, be & they hereby are designated & appointed, to be the newspapers in which the ordinances, orders & other Advertisements of the City Council shall be published & promulgated; provided, that the annual expense for each of said papers shall not exceed the sum of one hundred & fifty dollars.

On the petition of Will. Greenough & others, that the Common Sewer in Richmond Street be taken up & relaid, & the expense Street.

235. *Thereof a be paid upon those whose estates shall be benefitted thereby, according to law. And now it appearing to this board that notice has been given, according to the order passed at the last meeting, & no person appearing to object, it is thereupon ordered, that the subject be referred to the committee on drains & sewers with full power to cause the same to be laid as prayed for, if they shall deem it expedient.*

Robinson

On the petition of Thomas Robinson to have the common sewer extended in Endicott street, & the expense thereof a be paid upon those whose estates shall be benefitted thereby, according to law. The Committee on drains & sewers reported that the same has been extended at the expense of the petitioner. Accepted.

Union Street.

On the subject of taking up & relaying the Common Sewer in Union Street between Ave & Hanover Streets, & now it appearing that notice has been given agreeably to the order passed on the fourth inst. & no person appearing to object, it is thereupon ordered, that the subject be referred to the Committee on drains & sewers, with instructions to cause said sewer to be extended, if they shall deem it expedient.

Hartshorn.

The Committee to whom was referred the petition of Caleb Hartshorn, to have his tax abated, reported, that they are of opinion that this is not within the province of this board to grant the petition, & that he have leave to withdraw his petition. Read & accepted.

The Committee on County 236.

Accounts to whom was referred the account of the late Sheriff Charles P. Sumner. Sheriff of Suffolk. have examined Sumner. The same & find it correct & recommend that it be paid. Read & accepted.

The Committee on the Petition of Thomas Drummond, for compensation for taking care of a man sick with the small pox. reported, that the petitioners have leave to withdraw his petition. Read & accepted.

The City Treasurer and Mortgage Auditor of Accounts having certified that a bond signed, discharged, by William H. Commons, by which he became obligated to pay, the City. Fifty hundred & twenty six dollars, has been fully paid both principal & interest. The payment of which was secured by Mortgage recorded with Suffolk deeds. Lib. 381. fol. 124. The City Treasurer & City Attorney having certified that the balance of Clark J. Tibbets bond to the City of Boston of Eighteen hundred dollars has been paid in full, which bond was secured by mortgage recorded with Suffolk deeds. Lib. 395. fol. 295. Read and thereupon ordered, that the Mayor be authorized & requested to discharge the same on the records.

Ordered, that the subject of the (Market lease) of the stalls in Faneuil Hall Market house. be referred to the Committee on the Market.

Adjourned to Monday next 4 o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty fourth day of June A.D. 1839.

Present.

The Mayor, & the whole board of Aldermen, except Aldermen Tarnam.

Assistant
Assessors.

A communication was received from Thatcher W. Raymond resigning the office of Assistant Assessor for Ward No. 2. read & sent down. The board proceeded by ballot to the choice of an assistant assessor in place of said Raymond, who has removed from the City, & resigned; the votes being taken it appeared that Lewis J. Folsom was chosen. Put down for concurrence. Came up concurred.

Second
hand articles.

The following persons were licensed to sell second hand hand articles, as reported by the Committee on licenses, vizt. Thomas Henson, Currell & Grosloff, Perry & Worcester, and William Wiley.

Hall & Gore
Salem Street.

Petitions of Jacob Shaw, & others, & of Christian Gore, & others, to have Salem Street widened between Crip & Stillman Streets. Referred to the Committee on streets.

Objections.

A demand of Peter Dett-
wile for removing from Richmond Street. Referred to the Committee on streets.

Session of David 238.

Stairs. for leave to dig a trench, across Beacon Stairs
near Somerset street, for the conveyance of water. Beacon St.
Referred to the Committee on paving.

Account of the Super-Alien
intendant of Alien passengers. Referred to the Com- passengers.
mittee on accounts. Sent down for Concurrence.
Came up Concurrence.

The joint Committee on the City Hall.
erection of a new City Hall have instructed me to present
to the Council a plan drawn by David Rogers, as in their
opinion the best which has been offered. In conformity with
these directions the plan is sent herewith; also a ground
plan of the whole state of the City between School and
Court Streets, with the outline of the Court House, the
City Hall according to Rogers' plan, & the Probate &
Registry office, according to a plan by Bryant
presented some time since, all carefully marked upon
it. By this plan the Council will be enabled to per-
ceive the relative position, & the convenience of these
buildings, & the committee will only add the expres-
sion of their opinion, that it is extremely desirable that
a beginning should be made of the erection of a Prob-
ate & Registry office, so that the old Court House may be
vacated & removed as early as possible. & the ground pre-
pared for the erection of a City Hall, on whatever plan
the Council may prefer. All which is respectfully sub-
mitted, For the Committee. Saml. A. West. Secy.

239. Accepted & thereupon ordered, that the plan drawn by
Saiak Rogers be accepted. That do run for concurrence.

Primary
Schools.

The joint Committee who were
instructed "to report upon the original organization of the
Primary schools, & the constitution of the Primary School
Committee, its responsibility, its claims to power, & in
general upon the control of the City government over
said Committee, & its proceedings, & what steps, if any,
it is expedient for the City Government to take rela-
tive to the management of the Primary Schools," have
attended to the business referred to them & ask leave res-
pectfully to report, that they find the subject has al-
ready been investigated by a sub-committee of the gen-
eral school committee, who in February last, made
a report, which, together with the opinion of the City
Solicitor on the authority of the Primary School com-
mittee, was printed for the use of the City Government.
To this report your Committee beg leave to refer, and
further to state that in the views expressed by the
City Solicitor as to the construction & responsibility of
the Primary School Committee, they fully concur. That
the claims to power of that body may have been your
Committee are not informed; but if the views of the
City Solicitor be, as they believe them, correct, it is
manifest that they can have no power which they do not
derive from the general school committee by whom they
are elected & to whom they are responsible, as that board
is responsible to the people by whom it is chosen.

for the care it is required to take of all the public schools 2110.
of the City. With regard to the other branch of the inquiry,
viz. "the control of the City Government over said Committee,"
it would seem from what has been stated that the general
school committee, of which the other is a branch, is itself
a co-ordinate department of the City Government, with
whose mode of performance of their specific duties no oth-
er department has a right to interfere. It is true the
City Council may appropriate as much or as little
as it may see fit for the erection & care of primary
or other school houses, & the discharge of the salaries
of the teachers; but as long as the duties of the board are
performed in a manner satisfactory to the public, it
would be a responsibility not lightly to be assumed by
the City Council to embarrass the operation of so import-
ant a part of the public service, by an inadequate sup-
ply of the necessary funds. In this state of things, & enter-
taining these views, the Committee deem it inexpedient
for the City Council (which they suppose was intended by
the words City Government in the order) "to take any
steps relative to the management of the Primary Schools,"
which is confided to the care of others. The mere mak-
ing of the reports which have been prepared for the
School Committee & the City Council on this subject will
perhaps correct any evil which may exist, by calling
the attention of those who are the real & most efficient
visitors of the schools, the public at large. Before quitt-
ing the subject the Committee will add that they receiv-
ed a polite communication from a Committee of the

21st. Primary School Board offering "to confer & communicate in the amplest & freest manner on all the subjects appertaining to their appointment;" but as the answers on all the topics of inquiry seemed already given by high legal authority, the Committee did not think it necessary to avail themselves of the offer. They respectfully ask to be discharged from the further consideration of the subject. For the Committee. Saml. A. Eliot. Read & Accepted. Put down for concurrence. Came up, concurred.

Primary
School
houses.

The Joint Committee to whom was referred the memorial of the Primary School Board, requesting the erection of School Houses in five districts which they specify, have had the same under consideration, & ask leave to report; that they have ascertained that in consequence of previous applications from members of the Primary School Board, the joint committee on Public Buildings who have the business referred to them, had already decided upon erecting school houses in three of the five situations pointed out, viz. on Fort Hill, near Carver Street, & at South Boston. One other has long been urged upon the attention of the Committee by the Primary School Board, namely in the vicinity of Sherry Street, & after repeated unsuccessful attempts, a very excellent lot of land for the purpose has been obtained, & it is proposed to erect a fourth house upon it, instead of that now suggested by the Primary School Committee near Union Street. As the erection of these

four select houses will exhaust the appropriation for 242.
The current year that of the fifth must necessarily be de-
ferred to another season. The Committee perceive no
reason for interfering with the arrangements of the
Joint Committee on Public Buildings, & ask to be dis-
charged from the further consideration of the subject.
For the Committee. Saml. A. Eliot. Read & accepted.
Sent down for concurrence. Came up concurred.

The Joint Committee to whom Bourne
was referred the petition of J. H. Bourne & others for aid
in establishing an Infant School, have had the same
under consideration, & ask leave to report, that such
institutions, though they may be very proper & valua-
ble modes of private charity, are not rightly denom-
inated schools, as they are, in general, neither designed
for nor adapted to the cultivation of the intellectu-
al faculties. If this be true, it is manifest that it
is a form of charity, that ought to be left to individuals,
& indeed must be so left, as the powers of the City
Council can scarcely be construed to extend so far
as to establish or patronize them. The Committee
therefore recommend that the petitioners have leave
to withdraw. For the Committee. Saml. A. Eliot.
Read & accepted. Sent down for concurrence. Came up
concurred.

The Joint Committee to whom Alger
was referred the Petition of Cyrus Alger & others, praying
for an increase in the number of grammar and
schools.

243. Primary schools in Ward 12. have attended to the subject & instruct me to report, that they have ascertained that a new primary school house is to be erected at South Boston, this season as practicable; & that the wants of that section of the City for increased accommodation for children of a suitable age to attend the grammar school, are, in their judgment, not so urgent as to require the expenditure of the necessary sum for a new school house the present year. It will probably be early enough if an appropriation for the purpose should be made in the next financial year. They ask, therefore, to be discharged from the further consideration of the subject. For the Committee: Saml. A. Eliot. Read & accepted. Sent down for concurrence. Came up non-concurred, & an order to recommit to the same Committee. Read & non-concurred.

Wrenshaw,
Ward & Co.
Sept 11.

The Committee on the petition of Wrenshaw, Ward & Co. & others, to have Fifth Street at South Boston, opened & graded, reported as follows, viz. That a large portion of the land fronting on said street is still vacant. That the part of the street built upon is already in a state of repair for such vehicles as would probably have occasion to pass the same, and moreover the Committee are of opinion that the opening, grading & making the street the whole distance would require an expenditure which the town would not justify at the present time, & therefore, ask to be discharged. For the Committee: Nathan Surney. Read & accepted.

Whereas a nuisance exists on 243^d state in rear of No. 38 Prince Street, caused by not having Prince
ing good & sufficient drains to carry off the waste water, Street
under ground. Therefore it is ordered: That the City
Marshal notify the owner, owners or agent to cause
drains to be laid within eight days & in case of neglect,
so to do, that the Marshal cause said drains to be
laid, & charge the expense to those interested.

The Committee to whom was Tru
referred the petition of Ezra Tru, & others to sink a well in Causeway
a part of Causeway Street, reported as follows, viz. That in their Street
opinion the prayer of the Petitioners ought to be granted
on the following conditions, viz. 1st. That the location of the
well be such as the Committee of the Board of Aldermen
on paving & repairs of Streets may direct & that it be com-
pleted within thirty days. 2^d. That the Petitioners save
the City harmless from all damage, cover the well with
strong flat stones, & leave the street in as good condition
as the same now is. 3^d. That the well be used only by me-
ans of suction, conveying the water through leaden pipes
beyond the line of said street. 4th. That if by any reason,
at any time hereafter, the well should become a nuisance
to any of the persons occupying houses in its vicinity, the
Mayor & Aldermen shall have authority to cause the
same to be filled up, without rendering the City respons-
ible in damages for so doing to the Petitioners or their
assigns. For the Committee. Samuel Quincy.
Read & Accepted.

2111.

Ordered, that there be paid to The
Grant. mas Greent. Eleven thousand, three Hundred & ninety
one dollars & eighty eight cents. in full for all the land
taken from him to extend a street around the Court
house, & also for a piece of land on which the South
steps of said Court house are placed. on his giving a
sufficient deed of the same. & releasing the City from
all damages.

Wauchock
Light
Infantry.

The Committee on the petition
of the Wauchock Light Infantry Company for
an Armory, in Yancow Hill, reported, that the prayer
of said petition ought to be granted. Read and
accepted.

Pulaski
guards.

The Committee on the petition
of the Pulaski Guards, for an Armory at South
Boston, reported as follows, viz. That in their opin-
ion it would be inexpedient to place an Armory
in a school house. & further that it is not in con-
templation so far as the Committee are informed.
to erect a school house at South Boston the
present season. They, therefore, ask to be discharg-
ed from the further consideration of the subject. For
the Committee. Saml. A. Eliot Read & accepted.

Shepherd.

The Committee on the peti-
tion of James Shepherd to be remunerated the
expense he incurred in consequence of being injured
by a fire carriage. reported, that they ^{cannot} perceive
any particular claim he has for remuneration, and

that they are of opinion that the City Council have not 2115.
authority to grant compensation in such cases. They
recommend, therefore, that the petitioners have leave
to withdraw. For the Committee. Saml. A. Eliot. Wm.
Accepted.

Ordered, that a sum not exceeding Twenty
Twenty five Hundred dollars be paid towards building an iron
Iron fence, in front of the Granary burial grounds; provided
the petitioners for said fence will furnish an equal
sum for that purpose, & that the Treasurer be authorized
to borrow that amount, under direction of the Committee
on finance. On the question of passing this order the yeas
& nays being required agreeably to the rule of the City Coun-
cil, were taken as follows, viz. Yeas. Aldermen Wet-
more & Wayward. 2. Nays. Aldermen Gurney, Hun-
ting, Quincy, James Harris & Isaac Harris. 5. So
the same did not pass.

Adjourned to Monday next,
Four O'Clock P.M.

At a Special meeting of the
Board of Aldermen of the City of Boston, held at City Hall, on
Thursday, the twenty seventh day of June A. D. 1839.

Present.

Aldermen Farnam, Wetmore, Gurney & James Harris.

The board proceeded by ballot to the burial grounds
chose of Superintendent of burial grounds & cemeteries, & the vote being
taken, it appeared that Amos W. Harris was chosen. John
Sent down for concurrence. Came up concurred.
Adj. C.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the first day of July A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen.

Allen
passengers.

Calvin Bailey was nominated & appointed Superintendent of Allen passengers.

Syman.

Petition of Theodore Syman, Executor of the will of Theodore Syman, deceased to have the amount of taxes of personal estate which was paid by said deceased in the years 1832 & 1833, refunded; said taxes having been illegally assessed; said deceased having also paid taxes for his personal estate in said years in the town of Aboltham. Referred to the joint Committee on accounts. Put down for concurrence. Came up concurred.

Birkenap
granary burial
ground.

Order of the Common Council committing the petition of L. E. Birkenap, that the City would contribute one half of the expense of constructing an iron fence in front of the Granary Cemetery in Tremont street, the other half to be raised by subscription, & the order thereon, to Messrs. Amory, Hutchinson, Chapman & Shipley with such as the board of Aldermen might join, to consider & report. Came up for concurrence. Read & concurred. & the committee on burial grounds were joined.

Suther

Remonstrance of Slaves

Further, & others, against having a well sunk in Causeway, 247.
Street. Referred to the Committee on paving. Causeway St.

Petition of George Hallett, & Hallett
others, to have Fulton Street paved. Referred to the same. Fulton Street.
Committee on paving.

Petition of the Atlas Insur. Atlas
Co. for leave to construct vaults under the Insurance,
side walks in State & Congress Streets. Referred to the Company.
Committee on paving.

Notice of intention to build Ritchie
by James Ritchie, on Salem Street. Referred to the same.
Committee on streets.

Petition of William Wil- Wil-
son for an alteration of the license for the sale of second-
hand articles, so far as to enable the vendors to keep open
their shops to a later hour than is therein mentioned.
Referred to the Committee on licenses.

Petition of J. Goodburn for Goodburn,
a license to exhibit a Hydro Oxygen Microscope, at the Hydro Oxygen
Artists' gallery. Referred to the Committee on licenses. Microscope.
with full power.

Memorial of Peter W. Judge
Thacher respecting his duties as Judge of the Municipal Thacher.
Court, respecting the commitment of Insane persons
to the Hospitals provided for their accommodation. Ref-
erred to the Joint Committee who were appointed to
report on the ordinance to regulate the Hospital for

2118. The Susan at South Boston. Sent down for concurrence. Came up concurred.

Scout.

John E. Scarlet licensed as a dealer in second hand articles No. 401 Bratt Street

Probate office
Registry of
Deeds.

The joint Committee who were instructed to prepare & report a plan & estimate of a fire proof building, to be erected on the site of the old Museum estate for the accommodation of the Probate Court & Registry of Deeds, reported a plan & estimate of the proposed building. Read & accepted. The Common Council ordered, That the Committee on the erection of a New City Hall be authorized to proceed forthwith to build a fire proof building agreeably to the plan reported to the City Council for the Probate office and Registry of Deeds on the site of the Old Museum estate. And that the Treasurer be authorized to borrow under the direction of the Committee on finance a sum not exceeding thirty two thousand dollars, for the purpose of erecting said building, passed in Common Council. Came up for concurrence. (On the question of concurrence the yeas & nays being required agreeably to the rule of the City Council, were taken as follows, viz. Yeas. Aldermen Barnam, Wetmore, Gurney, Hayward, Huntington, Quincy, Isaac Harris & James Harris. 8. Nays - none. So the same passed in concurrence with the Common Council.

Greenleaf

Ordered, That there be paid to Thomas Greenleaf, the sum of one hundred & thirteen Cents.

lars & fifty two cents, for six months interest on Three thousand 249.
seven hundred & eighty four dollars. Also fifty one dollars
for a mistake of seventeen feet of land taken from his est-
ate, for Court square, in all one hundred & sixty four doll-
ars & fifty two cents, in addition to eleven thousand three hun-
dred & ninety one dollars, & eighty eight cents, in full for
all the land taken from him to extend a street around
the Court House & also for a piece of land on which the
South steps of said Court house are placed, on his giving
a sufficient deed of the same, & releasing the City from all
damages.

Ordered, that there be paid Cole &
to Messrs. Cole & Weber, two hundred & fifteen dollars 150.
& thirteen cents, in full for seventy eight & one quarter
feet of land taken from their estate corner of Summer
& South streets, to widen Summer street, on their giving
a sufficient deed of the same & releasing the City from all
further damages.

Ordered, that there be paid Smith.
to William Smith, the sum of fifty dollars, in full
for damages sustained by him in cutting off a piece
of a house occupied by him as a livery, situate at the
corner of Milk & Bath streets, the same being done to
obtain land to widen Milk street, on his giving a
receipt for the same, & releasing the City from all fur-
ther damages.

The Committee on the Market 100
to whom was referred the subject of leasing the stalls in Market
Square Wall, Market, at an increased rent, or part stalls.

257. Lying them up at auction, reported as follows, viz. That they have met a large number of occupants of Stalls, & heard their statements & fully discussed the subject. And the Committee are unanimous in the opinion that the City ought not to put said Stalls up at auction. Also that it is inexpedient to raise the rents of said Stalls the present year. For the Committee. Tho^s. Wuntley, Read & Accepted.

Thursday July 4th 1839.

Indisposition.

The board met & viewed the fire department in the Hall. They afterwards in company with the Common Council, City & Board Officers & invited guests proceeded to the Olden, under the escort of the Boston Light Infantry, where an oration was pronounced by Messrs J. Austin, Esquire.

Adjourned to Monday next, four
O'clock P. M.

251

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall, on
Monday, the eighth day of July 28. 1859.

Present.

The Mayor, & the whole board of Aldermen.

Resolved, That the thanks of the City Council be presented to Henry J. Austin, Esq. for the eloquent & patriotic Oration, delivered by him before the Municipal Authorities, on the fourth instant, being the Anniversary of American Independence, & that the Mayor be requested to ask of him a copy for the press. Put down for concurrence. Came up & concurred.

Item annual account of W. Corcoran
against the Commonwealth for the support of Lunatics
in the House of Correction. Referred to the Committee on Communications.
accounts on the part of this board.

Petition of Elizabeth Sher. Sherman
mau, & others, to have a common sewer laid in Hanover
Street, from Fleet Street to Winnipinnet Ferry. Ref Street
order to the Committee on drains & sewers.

Petition of Thomas Gentry, & others, to have Friend Street widened in the middle
part thereof, so as to correspond with the width thereof
at the end on Hanover Street. Referred to the Committee
on Streets.

Walter Gore
Salem street.

The Committee on the several petitions of Jacob Wall & others, Christopher Gore & others to have Salem street widened between Cross street & Stillman street, reported as follows viz. That the Bradley Tavern has recently been pulled down & other buildings are about being erected by James Michie on the same site. From said estate to Stillman street is but one hundred & fifty three feet and this is the only part of Salem street that is not thirty feet wide. The Committee therefore deem it proper to embrace this opportunity to continue the widening to Stillman street, as it is much needed, particularly for foot passengers, & recommend the passage of the following resolution & order. To the Committee Henry Barnard. Resolved. That the safety & convenience of the Inhabitants requires that Salem street be widened between Cross & Stillman streets on the west side. Therefore Ordered, that the same is hereby widened by taking a piece of land as follows viz. Beginning at a point on the Northerly side of a wooden House belonging to Martin Hensy at the distance of one foot three inches northwesterly from the easterly corner thereof. From thence running North easterly one hundred & fifty three feet more or less to Stillman street, by a straight line in the direction to the Southerly corner of a brick house standing on the Northwesterly side of said Salem street, & the North easterly side of said Stillman street; then running southeasterly by said Stillman street, six feet eight inches; then running southwesterly by the present line of

253.

said Salem street one hundred & fifty four feet
more or less to the said corner of said Wiersey's house;
then running Northwesterly by said house one foot three
inches to the place of beginning, taking from land of
James Ritchie one hundred & sixty two square feet -
from land of Mrs. Martha Gray. Three hundred and
sixty three square feet. from land of the heirs of Joseph
P. Bradlee Three hundred & two square feet and
from land of William G. Bell one hundred & ninety
seven square feet, as marked on a plan drawn by
S. P. Fuller dated Boston, April 7th 1829. Read,
Accepted & the resolve & order passed.

Ordered, that the Committee on Court
having be authorized to cause a part of Court street Green &
to be repaired. Also Green street, between Beacon Charles
Square & Everett Street, be repaired. Also that the streets,
old planks be removed, & the side walk gravelled in
front of the public garden on Charles street, & that
plank side walks be laid in Charles street between
Mount Vernon street & Cambridge bridge.

Ordered, that there be paid to ^{James} Harcourt & W. Mayford, the sum of six hundred ^{thirty} dollars in full for damages sustained for cutting off
a part of a building occupied by them as a place to the heirs
of the late Aaron Carter, to widen Milk street, on their
releasing the City from all further damages.

254.

Exter's heirs
Milk Street.

Ordered, that there be paid to the heirs of the late Aaron Exter, the sum of twenty one hundred & eighty two dollars & fifty cents in full for three hundred & fifty six feet & six inches of land taken from their estate to widen Milk Street, & the damage done to said estate by cutting off a part of the buildings on their giving a sufficient deed of the same & releasing the City from all damages.

Second hand
articles

Sampson H. Lewis, Pierre & Phillips, St. Pierre & Smith, & James Charter, licensed to be dealers in second hand articles.

Atlas

Insurance
Company

The Committee on the petition of the Atlas Insurance Company, to construct vaults under the side walks, on State & Congress Streets, reported, that the prayer of said petition be granted, on condition that the work be done, at the expense of the petitioners & to the satisfaction of the Committee, removable at the pleasure of the Mayor & Aldermen. Read & Accepted.

Public buildings
City Solicitor
opinion.

Ordered, that the opinion of the City Solicitor be procured upon the legality of the following order, reported by the Committee on public buildings, vizt. Ordered, that the joint Committee on public buildings be authorized to appoint an agent, to superintend the repairs only of public buildings belonging to the City, not confided to the particular care of any board of directors or overseers, provided the compensation of such

agent shall not exceed the sum of four hundred dollars 255.
per annum.

Adjourned to Monday next,
seven O'Clock p.m.

A meeting of the board of
Aldermen of the City of Boston held at City Hall, on Monday
the fifteenth day of July 1839.

Present.

The Mayor, & the whole board of Aldermen.

The Committee to whom was referred the petition of Andrew E. Belknap, & an Free of the Common Council authorizing the Committee on Curial grounds to build an iron fence to the Trinity burying ground on Tremont street, reported as follows, viz. That said Belknap met the Committee & requested that such a pattern for an iron fence in front of taste and economy might be agreed upon as would meet the views of the Committee, & those that contribute towards the expense of the same. This was but reasonable & was the approbation of the Committee. The Committee further report that considering the dilapidated condition of the present unsightly brick wall in front of said ground. The conspicuous & central situation of the same, the beautiful appearance of the great variety of Trees that cover it, are unanimously of the opinion, that an Iron fence in front thereof, which would present a

256. Full view of the whole grounds would add much to the ornament of the City. They accordingly recommended the passage of the accompanying order, which varies but a trifle from the one presented by the Council. For the Committee, Henry Barnard. Ordered, That the Committee on Burial Grounds & Cemeteries be authorized to build an Iron fence to the Granary burying ground, on Tremont Street, provided the City shall pay, but one half the cost of the same, & not exceeding in any event the sum of Twenty five hundred dollars, & that the expense be charged to the appropriation for a Reserved Fund. Passed in Common Council. Came up for concurrence. Read & concurred.

Granary Cemetery
fence.

Order of the Common Council instructing the Committee on burial grounds and cemeteries to inquire into the expediency of setting the new fence to the Granary burial grounds on Tremont Street, so far back as to bring it on a line with Parker Street Church, & the Tremont House. Came up for concurrence. Read & concurred.

Hospital
House of
Correction.

The Committee of both boards on the House of Correction, Industry, & Reformation, having been applied to by the Directors of the House of Correction, respecting a Hospital for the sick in their institution, & having attended to the subject, ask leave to state to the City Council their opinion that it is highly expedient that such a Hospital should be erected, and to recommend the building of it upon the plan herewith transmitted. This opinion is founded on their

observation of the wants of that house, & their belief that 25%
as the number of inmates increases, the number
of sick to be accommodated will also probably increase.
The rooms now provided for patients are small, ill-
ventilated, & admit of the constant intercourse of the
individuals present, as many are put together in the
same apartment. This is, of course, injurious to the dis-
cipline of the establishment, & will be prevented, if
the plan now recommended should be pursued. The
only objection that occurred to the Committee to
proceeding immediately in the work, was the cost,
which it is stated by the directors would amount to
about eight thousand seven hundred dollars. As
the appropriation bill was passed some time since,
containing provision for all the expenditures then
anticipated, in which this is not included, it will become
necessary to borrow the money, if the Council should
decide to proceed. The Committee felt unwilling
to urge this course upon the Council, although it
would give them pleasure to find the two boards
prepared for such a step. In order to take the
sense of the Council on the subject the Committee
recommended the passage of the subjoined orders.
For the Committee. Saml. E. Elit.* Passed in Com-
mon Council. Came up for concurrence, on the question
of passing the same in concurrence, the yeas & nays being re-
quired, by the rules of the City Council were taken as fol-
lows: (viz.) Yeas. Aldermen Farnum, Wetmore, Gurney,
Hayward, Huntington, Quincy. Quae Harris & James

* Ordered, that the committee of both boards on the houses of Industry, Correction and Reformation be authorized to sell a lot of land in the House of Correction on the plan annexed; provided, the cost of the same shall not exceed the sum of nine thousand dollars.
Ordered, that the Treasurer do and he is hereby authorized to borrow under the direction of the committee on the subject of the houses of Industry, Correction and Reformation, the sum of nine thousand dollars and that the same be added to the appropriation for the County of Suffolk.

258. Harris. 8. nays. none. So the same passed in concurrence.

Physician
Public Institution
South Boston. Notice Having been received that the Common Council had elected on its part Doctor Asa B. Snow, as Resident Physician of the public institutions at South Boston. Ordered, that Monday, the fifth day of August next, be assigned for the choice on the part of this board.

Physician
additional applications. Resolved. That in consequence of the existing difference of opinion between the two boards in relation to the election of Superintendent of the Lunatic Asylum, it is expedient to receive further applications for said office, & it is therefore ordered, that the City Council will receive applications for the office of Superintendent of said Asylum & Physician to the several establishments at South Boston, until the first day of August next. Sent down for concurrence. Came up concurred.

Marrine
Rail way.) Ordered. That the Mayor be authorized to offer to the owners of the Marrine Rail way, the sum of twenty thousand dollars, for a sufficient quantity of their land to make Commercial street fifty feet wide, & for all damages that may be sustained by said Rail way, by the taking of the same. On the question of passing the foregoing order the yeas & nays being required, were taken as follows, vizt. Yeas. Aldermen Tarnam, Wetmore, Gurney, Haywards, Hunting, Isaac Harris & James Harris. 7. nays.

Alderman Quincy. 1. So the same paper.

259.

Petition of Jeremiah Fitch
Fitch, & others, to have Portland Street widened Portland
from Sudbury to Munroe Streets. Referred to Street.
the Committee on Streets.

Petition of Ezra Gyer, Gyer
& others, to have Eaton Street carried through to Eaton Street.
Stephen Street. Referred to the Committee on Streets.
etc.

Petition of Samuel B. Stickwell.
Stickwell, for a license to exhibit a Panorama of the
Crowning of Queen Victoria, at Amory Hall.
Referred to the Committee on Licenses with full
power.

Petitions of John Garvey & Garvey.
Henry Warrey, for licenses to exhibit Gymnastics, rope Warrey.
dancing &c. on the burnt land near Waverhill Street.
Referred to the Committee on Licenses with full
power.

Petition of Relief Sumner. Sumner.
Executor of the last will & testament of Charles S.
Sumner, deceased that certain surplus money
received by him as Sheriff, from his deputies may
be allowed to make up the deficiencies of former years.
Read & together with the former petition & report
thereon of said deceased referred to the Com-
mittee on County accounts.

260.

Watch.

Petition of Joseph Watch, Watch
man to have some compensation for the loss of a Coat
which was torn by some rioters. Referred to the May-
or.

Junkie.

Henry Carpenter. John Carter.
Ones Hill & Bernard Nugent, licensed, as dealers
in Junk & second hand articles.

Mortgage
discharged.

The City Treasurer & Auditor
of accounts having certified that a bond signed by
Moses Hale, for the payment to the City of Boston, of
the sum of four hundred & seventy five dollars, the pay-
ment of which was secured by mortgage, recorded
with Suffolk deeds. Lib. 404. fol. 154. has been fully
paid both principal & interest. Whereupon Ordered,
that the Mayor be requested to discharge the same
on the records.

Richmond

Street
drains

The Superintendent of
drains & sewers reported an agreement for the con-
struction of a common sewer in Richmond Street. Read
& accepted, & thereupon ordered; that said Super-
intendent make out the several bills & lodge them
with the Treasurer for collection.

Shaw.

Communication from Robert
G. Shaw inclosing an agreement of said Shaw &
Benjamin Wheeler, respecting the right of carry-
ing a drain through their premises in Richmond
Street. Read & Ordered to be filed.

The Committee on the 2d. petition of William G. Burgess for leave to Burgess construct arches under the side tracks, in Trin-Sinclair colu street, reported, that the petition be granted, Street. on condition, that the work be done at the expense of the petitioner & to the satisfaction of the committee, removable at the pleasure of the Mayor & Aldermen.
Read & Accepted.

The Committee on the pet- Sherman ition of Elizabeth Sherman, & others, for a common Hanover sewer to extend from Fleet street to Winnemucca ferry, Street. reported, that an order of notice be issued in the usual form, returnable on Monday next, four O'Clock P.M.
Read, Accepted & ordered accordingly.

Ordered, That there be paid to Jackson Edwin Jackson, the sum of nine hundred & forty one doll - Milk' ars & fifty cents, in full for one hundred & fifty seven and Street. a half feet of land, taken from his estate at the corner of Bath street to widen Milk street, including the damage done to the building, on his giving a sufficient deed of the same, & releasing the City from all damages.

Ordered, That there be Cotton paid to Susan Cotton, widow of the late John Cotton, Purchase one hundred & sixty dollars & fifty five cents, in full for Street. ninety one & three quarters feet of land taken from her estate nearly opposite the Rev. Mr. Peabody's meeting house, to widen purchase street, on her gi-

262. ing a sufficient deed of the same & releasing the City from all damages.

Matthew
Richmond,
Street.

Ordered, That there be paid to John, Matthew, the sum of sixty six dollars, in full for taking a piece of land, & a part of store occupied by him as a tenant, to widen Richmond street, on his releasing the City from all further damages.

Adjourned to Monday next, four
O'Clock, p.m.

At a meeting of the Board of
Aldermen of the City of Boston, held at City Hall,
on Monday, the twenty second day of July A.D. 1839.
Present.

The Mayor, & the whole Board of Aldermen.

Sherman
Hauover
Street.

On the petition of Elizabeth
Sherman & others, to have a common sewer laid in Hau-
over street from Fleet street to Winnisimett ferry. And
now it appearing, that notice has been given agreeably
to the order passed at the last meeting of this Board,
& several persons appeared & objected to being assessed
for any part of the cost of the same, as their several
estates did not require any alteration or repairs of
said sewer. After a full hearing the subject was refer-
red to the Committee on drains & sewers, with author-
ity to cause the same to be laid, if they shall deem it
expedient.

Notice was received from 2 b. 3.

The Common Council, that they had concurred with
this board, in the order directing that a, nomination for
the office of Superintendent of the Sanitary Dispensary and
Physician to the several establishments at South West-
on, will be received until the first day of August,
next

Order of the Common Council Committee
on appointing Messrs. Shattuck & Spooner a Committee to confer
with this board, upon the subject of a Physician Committee
for the Institutions at South Weston, & report at the
next meeting. Came up for concurrence. Read & concurred
& Aldermen Larnum, Wilmore & Maynard were
appointed on the part of this board.

The Directors of the House of
of Reformation, made their quarterly report of the
state of that Institution, which was read and
sent down.

The account of Amos Lawrence
given, for the wooden pavement laid in Tremont St.
next, over & above the cost of common pavement.
Referred together with the accounts
accompanying the same to the Committee on
Savings.

Petition of Sp. Thos. A. Phelps
& others, to have a nuisance abated in Chatham
Street, occasioned by stagnant water. Referred to
the Committee on Internal Health.

2611.
Brooks
new street

Petition of A. C. Brooks, & others,
to have a new street opened between Atkinson's & Pearl
streets, referred to the Committee on streets.

White.

Petition of Franklin White for
leave to copy Stewart's portrait of Washington now in
Municipal Hall. Referred to the Committee on public
buildings.

House of
Correction.

The Committee on County Acc-
counts to whom was referred the semi annual account
of the Overseers of the House of Correction, against the
Commonwealth of Massachusetts, for the support of Sen-
naticus in that Institution, reported, that they have
examined the same & find it correct. Read & accepted.

Ordway

Petition of Aaron Ordway, for the
use of the Hall in the Engine House at East Boston No. 19 for a read-
ing room. Referred to the Committee on public buildings.

Pierce

Petition of James Pierce, a Constable
praying that some remuneration may be granted him for expense
incurred & loss of time in consequence of injury received from certain rioters
in Dock Square. Referred to the Mayor.

John & Sons

Thomas Burdett and Robert
Stewart licensed as dealers in fresh & second hand articles.

Back bay,
sewers.

Ordered, that the Committee on Internal
Affairs be instructed to inquire into, and report upon the most prompt
effective measures to remove the nuisance created by the common sewers

which empty into the receiving basin of the Boston 265.
Water power Company.

Ordered, that the sum Shepherd.
of twenty dollars be paid to James Shepherd, in
full for damages sustained by him on the second day
of May last, by engine No. 6. turning quickly,
round the corner of Court & Munroe streets, ac-
cidentally sweeping him into the street, his face
was cut & his back injured.

Resolved, That Green
the safety & convenience of the inhabitants requires that Street.
Green street be widened near Chamber street. There-
fore Ordered, that the same is hereby widened by
taking a piece of land as follows, viz. Beginning at
the Northwesterly corner of a block of Brick build-
ings on the southerly side of Green street belonging
to Peter C. Brooks, from thence running westerly
by a straight line in continuation of the front line
of said buildings sixty two feet six inches, then run-
ning easterly by the present line of said Green street
sixty two feet six inches more or less to the place of
beginning taking from land formerly of William
Gridley, deceased, seventy & one quarter square feet
as marked on a plan drawn by S. J. Fuller dated
August 1. 1825.

The Committee on burial grounds, Gravary,
who were instructed to consider & report upon the burial
expediency of setting back the fence of the Gravary, ground.
burial ground on Tremont street, reported as follows.

266. viz. That in the first place Shemont street is of sufficient width for the safety of the inhabitants. The body of Aldermen therefore cannot widen it on that plea. Secondly there is a range of tombs extending the whole front of said ground. The present brick wall forms a part of said tombs under ground. The arch or top of said tombs is three feet above the present side walk. That part of said wall above ground can be removed & a granite base for the iron fence put in the place of it without doing any damage to said tombs. If said fence is set back to widen the street we must either cut three feet into said tombs or make another side walk three feet above the old one, as the last cannot be permitted, the cutting into said tombs is the only alternative. There are thirty nine of these ancient tombs owned at the present time probably by over two hundred different persons scattered through the United States, & perhaps many of them in Europe. Before we should have any right to cut into these tombs we should have to purchase the privilege from each of these owners. This would be an expensive & troublesome job. The convenience would not justify the expense. It would therefore be unjustifiable in the opinion of the Committee to set back said fence, & thereby encroach upon this venerated Burial Ground, and they ask to be discharged from any further consideration of the subject. For the Committee. Henry Furness. Read & Accepted.

Eyer
Eaton
Street.

The Committee on Streets
to whom was referred the petition of Ezra Eyer, & others,
praying that Eaton Street be extended to 136th Street

reported as follows. viz. That said Eaton street is a very, 267.
short street, extending only from Chamber street to North
Russell street. It is not a street of extensive travel,
& if it was there would be no necessity of extending it.
As the street which leads from North Russell street
to Blooms street is but sixty feet from said Eaton street,
the public travel would be little if any benefited by
extending said street to Blooms street. The Committee
are opposed to granting the prayer of said petitioners
& ask leave to be discharged from any further consider-
ation of the subject. For the Committee Henry Far-
nham. Read & accepted.

Ordered, that there be Greenleaf
paid to Thomas Greenleaf Esq. three hundred and
twenty nine dollars & eighty five cents, in addition to
the several orders, which passed this Board, on
the twenty first of June & first of July instant,
for land taken to extend a street around the
Court house, upon his complying with the con-
ditions specified in said orders.

James M. Allen &c. Auctioneers.
Timothy M. Baker. Joseph L. Cunningham.
Frederick B. Callender. Coolidge & Washell, Warren
Ordway. Thomas P. Wick. Frank Stratton. Whitwell &
Traver & Whitehall, licensed as Auctioneers, and
their bonds approved.

John Stratton, was nomi- Constable
ated & appointed Constable of the ward in place of Charles
Glover, deceased.

268.
Police officers.

Edward T. Richardson & Josiah
Johnson were nominated & appointed Police officers.

Constables
appointed.

Jonathan Prescott, Nathaniel
Coolidge, Henczer Shute, Perasmus Clapp, James Price,
Henczer Shute, Jr. Witherup J. Babbitt, Willard Clough,
Johnson Lunt, William Spring, Francis Merrifield,
Jabez Pratt, George Reed, Richard Mosca, Henry Tay-
lor, Josiah Waldwin, Isaac S. Coolidge, James Hunk-
ins, Jacob Mook, John Henry, John Berdman, Thomas
Mortimer, Edward T. Hunt, Josiah Masken, Francis M.
Adams, George Robinson, Henczer Prescott, ^{Elisha} ~~Henry~~
V. Glover, Sumner J. Barnett, George Reed, Junr.
Judas Stratton, Samuel S. Vialle, Jacob C. Tullant,
Michael Wiley, Moses Clark & Charles Hastings, were
nominated & appointed Constables.

Constable.

Samuel M. Burnham,
was nominated & appointed a Constable in place
of William Andrews, who has been superseded; his
term of office having long since expired.

Hieronimus.

An Indenture whereby
Michael Hieronimus next friend of his nephew John
Hieronimus, whereby he binds said John to Phillip
J. Mayer, to learn the art or trade of a Confectioner,
approved & signed by the Mayor & Aldermen, one part
of which is on file.

Whereas on the fourth day 269.
of June last, an order of this board was passed, all Nelson
owing to Amasa Nelson, the amount of Seven Broad
Hundred dollars, which in said order is stated to Street.
be for damages sustained by said Nelson, by the taking
down, rebuilding & setting back of the front wall of
his building, in manner as particularly set forth,
in said order, for the purpose of widening Broad
Street in said City. Now it is hereby ordered, that
the above mentioned order of June fourth be and
the same hereby is reconsidered. And it is hereby
further ordered, (the said Nelson having signified
his assent thereto) that the said Nelson take down, re-
build & set back, upon the new line of Broad Street,
the front wall of his said store, for the purpose afores-
said, & that the City pay to him the sum of seven
Hundred dollars as a full compensation therefor;
which amount shall not be construed into an assent
on the part of said Nelson to the cutting off of his
store & taking from him the land on which it stands,
nor shall it have any wise to lessen the
amount of damages which he is entitled to receive
for the portion of his store, which the City have
resolved to cut off, & for the land on which it stands;
but that it shall in every respect be considered the
same as tho' the City authorities should cut off the
portion of said store & rebuild the same or contract
with a stranger to do the same.

Adjourned to meet

270. Tomorrow morning ten o'clock, for the purpose of the
whole board viewing India street.

Tuesday, July 23. 1839—

Met according to adjournment

Gould.

Alderman Farnam was
excused at his own request from serving on the Commit-
tee on the petition of Thomas Gould, & others to have
India street widened. & Alderman Isaac
Morris was appointed in his place

India
Street.

The board viewed India

Street.

Adjourned to Monday next,
four o'clock p.m.

A meeting of the board of
Aldermen of the City of Boston, held at City Hall, on
Monday, the twenty-ninth day of July, A.D. 1839.
Present.

The Mayor, & the whole board of Aldermen,
except Aldermen Wayman & Quincy.

Alderman

Committee of Aldermen Farnam, Wetmore & Quincy be a com-
mittee to make arrangements, & provide a dinner

Ordered: That the Mayors,

at Town Hall, on the anniversary of the exhibition of the public schools, on the fourteenth of August next. 271.

Ordered, that James Warr. Field
ac. be & he is hereby appointed a field driver. Driver.

William Andrews, Edward Auctioneers.
J. Han, Henry & Wm. Hatch & Scarsing, Thomas W.
Draught. John Syter & John Syter, Jr. were licensed
as Auctioneers & their bonds approved.

Petition of Siriven, for a License. Siriven.
License to exhibit a collection of Automata, his per-
formance of Leggerdmain &c. at the Artists' gallery,
Referred to the Committee on Licenses with full power.

Petition of Bernard Hansen, Hansen.
for a license to exhibit a live hog from New Zealand,
at No. 59 Union Street. Referred to the Committee on
Licenses with full power.

Petition of Samuel Lann, Lann
praying that Chardon Street be widened. Referred Chardon
to the Committee on Streets. Street.

Remonstrances of Henry, Boardman &
W. Boardman & John Gray, against having any Gray
part of their estates taken to widen Portland Street. Portland
Referred to the Committee on Streets. Street.

Petition of the Pres. Kelly Street

272. *agents in behalf of the Atlantic Bank, New England Bank & Fireman's Insurance Company, that Hilby street be paved with wood, from State to Pease streets. Referred to the Committee on paving with full powers.*

Jackson
Tremont
street.

Petition of J. J. Jackson,

Rogers
Deck
square.

& others, to have a part of Tremont street paved with wood. Referred to the Committee on paving.

Ordered, that the petition

of J. J. Rogers, for leave to place shade posts in front of his estate Deck square, together with the report of the City Marshal thereon be referred to the Committee on streets.

Waynes

funeral undertaker. Waynes, sexton of Waives place Church to be appointed a funeral undertaker. Referred to the Committee on burial grounds.

Lawrence
Tremont
Street

The Committee to whom was

referred the account of Quercus Lawrence, for wooden pavement in Tremont Street, reported, as follows, viz. That, by a vote of the board of Aldermen passed September 14th 1838 the City agreed to pay one dollar per square yard of wooden pavement on condition that the work was done to the satisfaction of the Mayor & Aldermen. Your Committee have carefully examined the work during its progress, & since its completion, & are unanimous in the opinion, that the work has not been executed in a thorough & workmanlike manner, but in as much as this is the first wooden pavement that has been laid in this City, & in view of all the circumstan-

cas of the case, they recommended the adoption of 975.
the following order. For the Committee. Samuel Quincy.
Ordered, That there be paid to Samuel Lawrence, viz.
the sum of one thousand & fifty one dollars, in full for
the wooden pavement on Tremont Street, according to
the agreement between the City & said Lawrence. Provided,
he will give a bond to the City to repay the sum of two
hundred dollars, if the above mentioned pavement should
not be firm & substantial for the full term of one year
from the date hereof. Read, Accepted & the order passed.

The Committee on the subject, Water power &c.
of a nuisance occasioned by the drains which empty into drains into
the receiving basin of the Boston Water Power Company, receiving,
reported as follows, viz. That they recommended that the drain basin,
on the City's land near the Providence Rail Road Depot,
be repaired & extended to the water at low tide. Also that
Beacon Street drain near the Mill Dam road be extended
so far that the mouth of the drain shall at all times be
covered with water. For the Committee. Thos. Manning.
Read, Accepted & the Committee on drains & sewers were in-
structed to carry the same into effect.

Resolved, that the safety & convenience of the inhabitants requires that Unity Street
be widened. Therefore Ordered, that the same is hereby wid-
ened by taking a piece of land as follows, viz. Begin-
ning at a point in the northeasterly side of Unity
Street, which point is the easterly corner of a brick

27/11.

house, beginning to Peter Quibar thence running southeasterly by said Unity Street nineteen feet to land of William Wellondy; thence running more easterly by said street seventeen feet & six inches, thence running easterly by said street, at right angles to the last described line, twelve & three quarters inches; thence running northwesterly in a straight line to the corner of said brick house, the point of beginning & thence measuring thirty six feet & four inches, taking from the land of said William Wellondy twenty four & one sixth square feet; & taking from the land of Peter Quibar sixteen square feet.

Blossom Street.

Whereas a nuisance exists on estate No. 26 Blossom Street caused by the drain being stopped so that the waste water will not pass off underground. Therefore Ordered, That the Marshal notify the owner of said estate to cause said drain to be opened & cleared within four days & in case of neglect so to do, that the Marshal ~~xxxxx~~ cause said nuisance to be abated, & the expense thereof charge to those interested.

Public Lands

Sup^r Report. Superintendent of public Lands quarterly report read & sent down.

India Street.

Ordered, That India Street, fifty feet be accepted as a public street & highway. Provided the present owners of said street will dedicate the land for the same, free of expense to the City; and provided said owners will

guards the City by sufficient bonds against all expenses 27/5.
that may arise from Cobb's wharff's removal said street.

The Committee on the Marc. Market
Ket. having considered the subject of removing the several stands &
stands for sale of refreshments on the side walks adjoining to removed.
the Faneuil Hall Market, report: That it is inexpedient
to allow the side walks to be occupied for stands of this
kind any longer than to give the occupants a reason-
able time to remove, & offer the following order. For
the Committee. Thomas Manning. Ordered, That
the Clerk of the Market cause the several stands for sale
of refreshments, to be removed from the side walks, ad-
joining the market on or before the fifteenth of Sept-
ember next. Read, Accepted, & the order passed.

The Committee on the Pet. White
ition of Franklin White, for leave to copy Stewart's Stewart's portrait
portrait of Washington, now in Faneuil Hall, report: Washington.
That leave be granted, provided the picture be not
removed; & that any scaffolding should be removed
at the pleasure of the Mayor & Aldermen. Read &
Accepted.

The Committee to whom Thrice.
was referred the petition of James Thrice, Constable,
to be remunerated for the expense & loss of time, in con-
sequence of being wounded in the discharge of his duty,
in the suppression of a riot, reported, that he has
a just claim for compensation & that he be paid

27th.

Thirty dollars, being at the rate of six dollars a week for his loss of time. Read & Accepted.

Andrews.

The City Marshal returned that he had notified William Andrews, that he was superseded in the office of Constable, by another being appointed in his place.

Sejourned to Monday next,
four O'Clock, p.m.

The meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the fifth day of August, A. 1839. Present The Mayor & the whole board of Aldermen, except Alderman Hayward.

Resident
Physician
of Boston.

The Committee appointed to confer with a Committee of the Common Council on the subject of the disagreement between the two branches of the City Council in relation to the choice of a Resident Physician of the public institutions at South Boston, reported as follows, viz. That when the Committee met it was apparent that both were disposed to discuss the difference in opinion that existed between the two boards with frankness & complacency not thinking it fair to suppose because the members of either of the boards disagree in opinion that they are actuated by improper motives. The final result of said discussion terminated in agreeing unanimously that the matter of difference between the two boards required peculiarly the aid of the consulting

Physicians for the City Government. Application was ²¹⁷ accordingly made to said Physicians for service, and a list of all the applicants furnished them for their selection. Their answer by accompanying and forms a part of this report. On the receipt of their list for the Committee were called together again, examined & discussed the same, & each Committee agreed to report to their respective boards the result of this conference & the report from the consulting Physicians. It will be perceived that said Physicians have recommended Dr. John B. D. Jackson as the most suitable person to be appointed Physician of the South Boston Institution. The Committee (even if improper to make any comments on the result of this conference, they have briefly stated the facts, & now respectfully ask to be discharged. For the Committee Henry Tarnam. Read & Accepted.

The board ^{again} proceeded by ballot to the choice of Resident Physician of the public institutions at South Boston, & the votes being taken it appeared that John B. D. Jackson, M.D. was chosen. Sent down for concurrence.

Memorial of Amasa Watson. Watson, respecting taking his land to widen Broad Street. Referred to the Committee on Streets.

Order for the removal of

278. Certain nuisances in Mechanic Street, & Hatter's Square,
Mechanic Street as reported by the City Marshal. Reference to the Committ-
Hatter's Square. ce on Internal Health with full powers.

Ordway.

The Committee on the petition of Sarah Ordway, for the use of a room in the Engine House at East Boston, for a reading room, reported, that in their opinion it is inexpedient to grant the prayer of said petition. Read and accepted.

Dana

Chardon
Street.

The Committee on the petition of Samuel Dana, to have Chardon Street widened, reported, that the petitioners have leave to withdraw his petition. Read & accepted.

Auctioneers.

Stephen Brown & Francis Freeman licensed as Auctioneers, & their bonds approved.

Central
burial
ground.

Ordered, That the Committee on burial grounds be authorized to erect an iron fence around the Central burial ground; provided the sum of fifteen hundred dollars can be obtained by subscription; and provided the expense to the City does not exceed the sum of three thousand dollars.

Cushing
rickman
street.

Ordered, That there be paid to Henry Cushing, the sum of sixty dollars, in full for damages sustained by him as before to

widen Richmond street. on his releasing the City from all further damages. 279.

Ordered, That there be paid Binney, to Benjamin Binney, the sum of seventy five Cents (Cooper Lane, & thirty two cents, in full for forty two & a half feet of land taken from his estate to widen Cooper street, on his giving a sufficient deed of the same and releasing the City from all further damages.

Ordered, That there be paid Tucker to Richard D. Tucker, Esq. the sum of twelve hundred dollars, in full for two hundred & thirty seven feet of land taken from his estate to widen Milk street, on his giving a sufficient deed of the same & releasing the City from all damages.

The Committee on streets Otis to whom was referred the petition of H. S. Otis, for him- (himself & the proprietors of Mount Vernon, praying that the part of Chestnut street lying west of Charles street may be cleared from incumbrances, reported, as follows, viz: That said street was originally laid out by said proprietors for the purpose of accommodating their own land which they had made by siting out the flats that lie west of Charles street. many other streets were laid out in the same manner by said proprietors for their own exclusive transfer which are not accepted by the Board although a part of

280.

them have been filled with buildings. When this part of Chestnut Street was accepted by the City as a public highway, & \$100,000 paid to Mr. Otis for the Three thousand four hundred feet of land that he mentions in his letter, it was expressly for the purpose of extending the Common sewer from Charles Street to the back bay & for no other reason whatever. The Board by this negotiation had not the least doubt but what they had secured this outlet. But to their astonishment they found that the water lot laying (directly) in front of said street had been sold to William Brannan who had erected a splendid Bath House on the very spot where it was calculated to empty said Common sewer. The City was thereby (or barred) of this outlet & compelled to purchase another. Under these circumstances the Committee deem it improper at the present time to be at the expense of grading & paving the gutters of that part of said street, but as Mr. Otis desires to be heard on the subject they recommend that the Board assign Monday, next at four o'clock P.M. for the purpose, all which is respectfully submitted. In the Committee. Henry Furness. Read the order passed to hear Mr. Otis on Monday next, four o'clock p.m.

Quarterly)
Reports of
City Officer.

The Mayor & the Aldermen of the North-
in scale, the superintendent of burial grounds, & the City
Clerk, make reports of moneys received by them in their
respective capacities paid into the treasury the last quar-
ter. Read & pass down.

The Committee on Burial grounds 281.

to whom was referred the petition of Timothy Beddington, Thuermer
& others, to have Oliver B. Hays appointed a funeral Undertaker.
Undertakers, reported as follows, viz. that there are three
undertakers now located at South Boston which in the
opinion of the Superintendent of Burial grounds is as
many as can be useful. There is but twenty, required
for the whole City & many of them get but little emp-
loyment. The Committee are therefore opposed to grant-
ing the prayer of the within petitioners & ask to be dis-
charged. In the Committee, Henry Barnard.

Ordered that there be paid Sawyer & Marshall
to Messrs Sawyer & Marshall, the sum of seventy two
dollars & fifty cents, in full for seventy three and a half feet of
land taken from their estate to widen Summer Street,
on their giving a sufficient bond of the same, and
releasing the City from all damages.

Approved by the Board of Aldermen
four O'clock, p.m.

A Meeting of the Board of
Aldermen of the City of Boston, held at City Hall,
on Monday the twelfth day of August, 1859.
Present.

The Mayor & the whole Board of Aldermen, except
Alderman Hayward.

Sanctions
Appointed.

Samuel K. Bayley, John
W. Johnston, Samuel A. Webster & Ferdinand E. White
were licensed as Auctioneers & their bonds approved.

Order.

The joint Committee on public
lands to whom was referred the Petition of John Whitten
made a report, accompanied by the following preamble
& order. Whereas the City has a demand against John
Whitten, of the amount of six thousand one hundred six dollars
& sixty three cents, principal & interest, which is now due &
he is desirous to postpone the payment of the thousand dol-
lars of the above demand for one year. Therefore Ordered,
that the City Treasurer be & he hereby is authorized to
postpone calling upon the said John Whitten for the
pay of the thousand dollars of the above demand
within one year, provided that he pay the balance
amounting to five thousand one hundred six dollars
& sixty three cents at the present time & provided also
that the payment of said five thousand dollars
continue to be secured by Mortgage now paid. Ac-
cepted in Common Council, & the vote passed. Came
up for concurrence. Read & concurred.

Petition of Stephen G. Bap, and 183.

Others, praying, that a nuisance caused by stagnant water &c. Bap
on Pine street, emitting a disagreeable smell, may be abated. This
Read & thereupon ordered, that the City Marshal cause the
said nuisance to be abated forthwith.

Petition of Bela Marsh, & Marsh

Others, to have Jefferson street accepted. Referred to the
Committee on streets. Jefferson street.

Petition of Mary G. Nash, Nash

Praying, that a committee may be appointed to examine
certain buildings erected by her late Father, on Endicott
street & Franklin Avenue, for the purpose of allowing
her such damages as they may seem expedient, occasioned
by the raising said streets. Referred to the Committee
on streets. Endicott st &
Franklin Avenue

Petition of Henry Hagg, Hagg

Others, to have a nuisance abated in Mechanic street. Mechanic
occasioned by a building occupied by several families. Street.
which building has no spring. Referred to the Committee
on Internal health.

Petition of Charles S. Wells, Wells

Others, to have a nuisance abated in Oak & Front
streets occasioned by offensive effluvia arising from
drains & stagnant water. Referred to the Committee
on drains & sewers. Oak & Front
Sts.

Petition of Asa Spooner, Spooner

Others, to have a sewer laid in Salem street. Referred
to the Committee on drains & sewers. Salem
Street.

284.

Deturbe

Ordered, that the sum of twenty dollars be paid to the Deturbe in full for damages sustained by him, by taking down a shop occupied by him, as a tenant, to widen Richmond street, and his releasing the City from all further damages.

frank

Ordered, that there be paid to Susanna frank, the sum of forty dollars, in full for damages sustained by her, by the taking sixteen feet & six inches of land from her estate to widen Snow Hill street, and her giving a sufficient deed of the same, & releasing the City from all damages.

Werre

Ordered, that there be paid to Joseph Werre, Esq. Mary Werre & Lucretia Werre, the sum of five thousand two hundred dollars, in full for two thousand & six feet of land taken from their estate to widen Court square, & damage done to the dwelling house by cutting off a part of the same, on their giving a sufficient deed of said land & releasing the City from all damages.

Constable

The Mayor nominated John Wilson as a Constable, which nomination was laid on the table.

Steam
Packets.

Ordered, that the Mayor, Alderman Melmore & Sarman, with such as the Common Council may join be a Committee, to consider & report, on the expediency of granting the aid of the City, by an appropriation of money, or otherwise, to the proposed line of steam packets, between England, Halifax & Boston.

Put down for concurrence. Came up concurred, & the 285
Common Council joined with part Messrs. Chapman,
Wells, Parrott, Quincy & Stevens.

Communication was received from George W. Wilkins declining a re-election as an Assistant Engineer of the fire department. Read & put down.

William Barnicot was nominated & appointed Chief Engineer of the fire department. Put down for concurrence. Came up concurred.

Henry Smith, James J. Han-
Carron, Richard A. Kears, Charles H. Clark, John Shel-
ton, Theodore Washburn, Thomas B. Warren, John Green,
Jr. Henry Harte, Peter C. Jones & Thomas A. Williams,
were nominated & appointed Assistant Engineers of the
fire department. Put down for concurrence. Came up
concurred.

After three unsuccessful
ballotings for Resident Physician for the public
institutions at South Boston, no one having a majority
of votes the subject was postponed to the twenty six the
instant.

Application of John C. Park
in behalf of the City Greys, for the use of Faneuil Hall
on the afternoon of the fourth of September next, to re-
ceive the New England Guards on their return from
Barnstable. Referred to the committee on public build-
ings on the part of this board with full power.

Adjourned to Monday next, four o'clock, p.m.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the nineteenth day of August, A.D. 1839.

Present

The Mayor, & the whole Board of Aldermen, except Aldermen Gurney, Hayman & Isaac Harris.

Pelton
National Theatre. Petition of William Pelton, Manager of the National Theatre, for a renewal of his license. Referred to the Committee on Licenses.

Brewer
Ann Street. Petition of Gardner Brewer, to have the common sewers opened & relaid, in Ann Street, between Cross & Mechanic Streets. Referred to the Committee on drains & sewers.

Fales
Exchange Street. Petition of Samuel Fales, & others, to have Exchange Street from State Street, to the passage way leading into the yard of the Union Bank paved with wood. Referred to the Committee on paving.

Dyer
Richmond Street. Petition of Micah Dyer, & others, to have Richmond Street widened, & made forty feet wide, between Fulton Street & Hancock Street. Referred to the Committee on streets.

Mechanic Association. Petition of the Mechanic Association for the use of the Hall over Faneuil Hall Market, for their exhibition & Fair in September next. Referred to the Committee on public buildings on the part of this Board, with full powers.

Petition of Joseph A. Bates. 287.

Bates, & others, for the use of the lower room in the School house at East Boston, as a place of public worship for a Methodist Society. Referred to the Committee on public buildings. Bates.

The Committee on Ashb.
the petition of Mary G. Ashb., reported, that said petition ought to have been referred to the Committee on Savings. Read & accepted, & referred to the last mentioned Committee accordingly.
George S. Thomas licensed Auctioneer.
as an Auctioneer, & his bond approved.

The joint Committee who Wood & Barker.
was appointed to consider whether any alterations is necessary to be made in the Ordinance regulating the admeasurement & sale of wood & bark, for fuel brought into the City by water, made a report, together with an Ordinance to regulate the sale & admeasurement of wood & bark for fuel brought into the City of Boston. Which was read & laid upon the table & ordered, to be printed for the use of the members of the City Council.

The Committee on the petition Jackson.
in of P. T. Jackson & others, to have a part of Tremont Street paved with iron, reported, that the pavement in that part of said street is in good condition & the Committee are of opinion that it is inexpedient at present to grant the prayer of said petition. Read & accepted. Street.

288)

Shaw
Federal
Street.

Ordered, That there be paid to
W. G. Shaw, Esq. the sum of two hundred & twenty dollars,
in full for one hundred & thirty five feet of land ta-
ken from his estate to widen Federal Street opposite
the Baptist Meeting house, on his giving a sufficient
Deed of the same & releasing the City from all damages.

Adjourned to Monday next.
four O'Clock, p.m.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall, on
Monday, the twenty sixth day of August, 1839.

Present.

The Mayor, Aldermen Maynard, Huntington, Sumner,
Isaac Harris & James Harris.

Belby
National
Theatre.

The Committee on the pet-
ition of William Belby, for a renewal of the license of
the National Theatre, reported, that a license be gran-
ted to said Theatre upon the same terms & conditions
as the same was heretofore granted. Read & accepted.

Jones
Theatrical Theatre.

Petition of J. G. Jones, Mana-
ger of the Theatrical Theatre, for a renewal of the
license of that Theatre. Referred to the Committee on
Licenses.

Purchase Street
Congregational
Church.

Petition of the Standing Com-
mittee of the Congregational Church in Purchase Street,
praying that they may be allowed the damage which

They sustained, in consequence of raising, said Street. Ref. 289.
erred to the Committee on Streets.

The Committee on Inter-Flagg
nal Health to whom was referred the petition of Henry Mechanic
Flagg, & others to have a nuisance abated in Mechanic Street.
Street, reported as follows, viz. That they have examined
the building which is the subject of complaint & find
That said Building is occupied by thirty three families.
in all about one hundred & fifty persons, & but one
vault, & the privy improperly constructed to accom-
modate so great a number. The Committee are of the
opinion that the petitioners have sufficient cause
for complaint, & if not abated soon will be likely
to produce sickness. & recommend the passage of the
following order. For the Committee. The? Meeting.)
Ordered, That the City Marshal notify William
Smith the owner of a Building in Mechanic Street
occupied as a dwelling house to cause suitable vaults &
privies to be constructed, according to law, for the
accommodation of the Tenants of said building in six
days. Also to clear out & cleanse the cellars under
said building in four days. Read, accepted and
the order passed.

Petition of J. C. Brooks, Brooks.
President of the Savings Institution, to purchase of
the City the right to a passage way leading from
Thomont Street to Court square. Referred to the
Committee on public buildings with such as the
Common Council may join to consider & report.

290. Voted down for concurrence. Came up concurred, & the Common Council joined on its part, the Committee on public buildings of that board.

Auditor.

The Auditor of Accounts made a report of the moneys received at his office, & paid into the Treasury the last quarter ending thirty first ultimo. Read & sent down.

Shallen-
Salem-
Street

The Committee on the petition of Gardner Brewer to have a common sewer laid in Ann Street between Cup & Mechanic Streets, reported, that an order of notice be issued in the usual form returnable on Monday next four O'Clock p.m. Read, Accepted & ordered accordingly.

Edy
Green St.

Petition of Caleb Edy to have Green Street widened. Referred to the Committee on streets.

Wilson.

The nomination of the Mayor, of John Wilson as a Constable, was considered, & upon the question of confirming said nomination it was decided in the negative.

Mortgage
discharged.

The City Treasurer and Auditor of Accounts having certified that a bond given by William W. Corden to the City of Boston, whereby he became obligated to pay said City the sum of four hundred & forty seven dollars & fifty cents, the payment of which was secured by mort-

gage recorded with Suffolk deeds Lib. 382. fol. 172. 291.
Has been paid both principal & interest. Thereupon
Ordered, that the Mayor be requested to discharge
the same on record.

Petition of Caleb Eddy, Eddy,
to have Green Street widened. Referred to the Com- Green Street.
mittee on Streets.

Four O'Clock P.m.

Adjourned to Monday next.

At a meeting of the
Mayor & Aldermen of the City of Boston, held at City
Hall, on Monday, the second day of September A.D. 1839.

Present.

The Mayor, & the whole board of Aldermen, except Al-
dermen Gurney, Quincy, & Isaac Harris.

Petition of John B. Maserve, Maserve.
Praying, that the City would release their interest in
a strip of land on the neck upon which a mortgage
was given. Referred to the City Solicitor with full
power.

Petition of John Ashton, Ashton.
Praying that the City would convey to him a piece
of land on the Neck, upon his paying the amount
of a mortgage given to the City by Cornelius Cortisge.
The original purchaser, which mortgage has been
foreclosed. Referred to the Committee on Public
lands. Sent down for concurrence. Came up concurrently.

292.

Treasurer
to employ,
additional
clerks.

Ordered, That the City Treasurer be & he is hereby authorized under the direction of the Committee of finance, to employ such a assistant Clerks, as may in the judgement of said Committee be necessary to facilitate the collection of the taxes for the current year, & that the amount be charged to the appropriation for incidental expenses & miscellaneous claims.
Voted down for concurrence. Came up concurred.

Reward
offered.

Whereas a murder was committed on the night of the twenty eighth of August last, in Creek square, in this City, by some person or persons unknown, & who have not hitherto been discovered by the officers of police, thereupon ordered, that a reward of one hundred dollars be offered, for the apprehension of and conviction of any person accused of the above crime.

Eddy
Green street.

The Committee on streets to whom was referred the petition of Caleb Eddy, praying, that the estate belonging to Isaac Davis, situated on Green street, next westerly of the Rev. Dr. Frank's meeting house be removed, reported as follows, viz, That the Dwelling House next west of said Meeting House & five or three Houses next east of the same project a few feet into Green street, but they are old ^{wooden} buildings & it is not at all probable that they will be permitted to remain standing but a short time as new brick houses have been erected on both sides of them, as they now stand they only annoy the foot travel
Read, & Accepted.

The Committee on Streets 293.
to whom was referred the petition of Bela Marsh, and Marsh
others, praying that Jefferson Street be accepted, as a Jefferson
public street, reported, that said street is a very short street
one; running from Tremont Street to Fayette Street.
it is now in a bad condition, & requires raising & grading.
The Committee are of opinion that said street might not
be accepted until it is put in good repair. Read &
Accepted.

The Committee on Streets to (Corcoran),
whom was referred the petition of Edward Corcoran, pray-
ing, that the name of Deacon Street be extended to Street
Merrimac Street, reported as follows, viz. That Dea-
con Street is a very short street with only four dwell-
ing houses fronting upon it. That it is the continuation
of Sudbury Street & in the opinion of the Committee ought
to bear the same name. The Committee therefore recom-
mend the passage of the following order. For the Comm-
ittee. Henry Farnham. Ordered, That the name of
Deacon Street be discontinued & that Sudbury Street
be extended to Merrimac Street. Read, Accepted and
the order passed.

Memorial of Thomas Carver, Carver
respecting his being dismissed as second foreman of Engine
Company No. 8. Referred to the Committee of the
Fire Department.

Petition of Robert S. Shaw
Shaw, & others, praying that measures may be taken
to preserve the trees on Burroughs Square and Green
Square.

294. *street. Referred to the Committee on streets.*

Turner
Circus.

*P*etition of Aaron Turner,
& sons &c. to be licensed to exhibit Equestrian exhib-
itions, in a Circus to be constructed on Henry Street,
on the site of the Henry Street House. Referred to
the Committee on licenses.

Jones
Tremont
Theatre.

The Committee on the pe-
tition of J. S. Jones, for a license for the Tremont The-
atre, reported, that a license be granted upon the
same terms as the same was heretofore granted. Read
& accepted.

Rutter.

William Rutter, No. Two hundred
and twenty one Broad Street licensed as a dealer
in second hand articles.

Barnes.

The Committee on licenses
to whom was referred the petition of J. W. Barnes, to
be licensed as a dealer in second hand articles
at No. Seventy eight Blackstone Street, & that he
be allowed to keep a job wagon in front of said
store, reported, that the same be granted so far as
relates to the sale of second hand articles. Read
& accepted.

Riley.

The Committee on licenses
to whom was referred the petition of William Ril-
ey for an alteration in the licenses to dealers in
second hand articles reported, such licenses be
so altered, as to allow dealers in second hand clo-
thing to attend so far as to permit them to keep

their shops open & sell, but not to purchase, during 295.
the evening until nine O'Clock. Read & accepted.

The Committee to whom Wells
was referred the petition of Charles A. Wells, & others, asking
to have a nuisance abated in Oak & Front Streets, ^{Sh. 15.}
reported, that said nuisance has been abated. Read
& accepted.

The Committee to Bates
whom was referred the petition of Joseph A. East
Bates, & others, for the use of the Ward room in Boston.
the School House at East Boston, for public
worship of a Methodist Society, reported as fol-
lows, viz. That in their opinion there is no objec-
tion to granting the prayer of the within petition
on similar terms to those on which the use of
such rooms has been heretofore granted. viz. that
it be used in the Day time only, without expense
to the City, & that this permission be revocable at
the pleasure of the board. For the Committee, Saml.
A. Eliot.

The Committee on drains, Drains in
& sewers who were authorized to carry out the drains receiving
in the Receiving Basin of the Water Power comp. Basin.
any, near the Providence Rail Road Depot, re-
ported, that said drains have been laid, pursuant
to said orders. Read & accepted.

On the petition of Gard-

296. now Brewer, praying to have the common Sewer
opened & relaid in Ann Street, between Cross and
Ann Street. Mechanic Streets, & now it appearing that notice
has been given, agreeably to the order of notice
passed at the last meeting of this board, and
no person appearing to object, it is thereupon
ordered that the Committee on drains & sewers,
be authorized to cause said sewer to be laid, if they
shall deem it expedient.

Stratton
Salem Street. On the petition of Asa
Stratton, & others to have a common sewer laid
in Salem Street, between Cross & Stillman Streets.
And now it appearing, that notice has been giv-
en, agreeably to the order of notice passed at the
last meeting of this board, and now several per-
sons appear & object to being assessed for any part
of the expense of constructing said sewer and af-
ter hearing the parties it is thereupon ordered,
that the Committee on drains & sewers be authoriz-
ed to cause said sewer to be laid, if they shall deem
it expedient.

Adjourned to Monday next, four

O'clock p.m.

297.

A Meeting of the Board of
The Board of Aldermen of the City of Boston, held at City Hall,
on Monday, the ninth day of September, A. D. 1839.

Present.

The Mayor, & the whole Board of Aldermen, except Alder-
man Gurney.

Remonstrances of William Saw- Lawrence.
rence & others, & Samuel Brab. & others, against the petition of
of Sam. Turner & others, praying to be licensed to exhibit Eques- against
trian exercises in a Circus to be erected on Warren Street. Circus.
Referred to the Committee on licensing.

Petition of E. W. Sawdust, Van Supt.
praying that the wooden pavement in State Street, between Con- wooden pavement.
gress & Kilby streets may be accepted & his bill passed. Ref-
erred to the Committee on paving with full power.

Petition of Thomas Geo. Gerrish
Gerrish, for leave to sink a well in Second Street near the Second
Brewery South Boston, & to place therein a pump. Referred to
to the Committee on paving.

Nathaniel Haven, licen. Auctioneer
sed as an Auctioneer & his bond approved.

Petition of Thomas Furber, Surber.
in behalf of the heirs of Abigail Furber deceased respect-
ing land taken by the City some years since to extend Com-
mercial Street, & proposing to buy what land may not
be wanted for that purpose. Referred to the Committee
on Streets.

298.

Greene
1st office.

Petition of Nathaniel Greene,
postmaster, praying that the City would lease to him the
whole of the lower floor of City Hall for the post office.
Referred to the Committee on public buildings on the part
of this board with such as the Common Council may join,
to consider & report. Put down for concurrence. Came
up concurred, & the Common Council joined on its part the
Committee on public buildings.

Belknap St.
drain.

Whereas the drain leading from
Myrtle to Cambridge streets, in the rear of Belknap street,
is stopped, so that the waste water will not pass off un-
der ground, causing offensive nuisances. Therefore Or-
dered, that the Marshal notify all persons interested
in said drain, to cause it to be opened & cleared, within
four days; in case of neglect so to do, that the Marshal
cause said nuisance to be abated, as above, & the expense
charged to those interested.

Stumps in
South burial
grounds.

Ordered, That the Superintendent
of burial grounds be authorized to make sale of
the stumps, belonging to the City, in the South burial
ground for the sum of two hundred & twenty dollars each,
upon the following conditions, vizt. Cash twenty five per
cent the balance in notes upon interest of one third in
three, six & eighteen months; The deeds to be given when
the last payment shall be made.

Portland
Street.

Resolved, That the safety
& convenience of the inhabitants require that Portland
Street, be widened. Therefore Ordered that the same

is hereby witnessed, as follows, viz. Beginning at 299.
a point one foot two inches North easterly from the
westerly corner of Dwelling house belonging to the
Heirs of Nathaniel Godwin, deceased, then running
northwesterly by a straight line one hundred & ninety
seven feet nine inches more or less to another point
on the south easterly side of a Brick Building, belonging
to the estate of Francis Garoux, deceased, at the distance of
two feet one inch from the southerly corner thereof, then
running southwesterly by said brick Building two feet
one inch, then running southeasterly by the present
line of said Portland street to the place of beginning,
taking from land of said Godwin's Heirs. Thirteen & a
half square feet from land of — Dupree & Allen Heath
one hundred square feet, from land of the Heirs of
Joshua Hall, deceased, one hundred & twenty nine square
feet & from land of the estate of said Garoux Eighteen & one
half square feet, also by taking another strip of land, be-
ginning at the easterly corner of a brick building be-
longing to — Boardman, from thence running south-
westerly by Waver street nine feet, then running
northwesterly by a straight line three hundred & fifty
one feet more or less to a dwelling house belonging to
William S. Greenrood, then running northeasterly
by said house four feet to the present line of said Portland
street, then running southeasterly by said present line
of said Portland street, three hundred & fifteen feet more
or less to the place of beginning on Waver street, tak-
ing two hundred and ninety, five feet of land from said

B. A. Bradman, one hundred fifty eight & one half feet from
Amos Briney. Six hundred square feet from John
Gray. Three hundred & six square feet from the
heirs of Elijah Utley, deceased, seven hundred and
thirty eight square feet from land of the heirs of
William Faxon, deceased, & two hundred eleven &
one half square feet from land of said Greenwood,
as the same is marked on a plan drawn by Ste-
phen Fuller, dated December sixth 1830.

Copp's Hill
burial
ground.

Report of the Committee
on burial grounds respecting the wall of the bur-
ial place on Copp's Hill which has recently been rep-
aired, & directing that assessments be made upon
the owners of certain lots for the amount of the
cost of the same, & that the City Treasurer be
requested to collect the same from the several
persons therein named.

Adjourned A Monday next,
four O'Clock, p.m.

301.

A meeting, of the board of
Aldermen of the City of Boston, held at City Hall, on
Monday, the sixteenth day of September A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen.

Remonstrance of George Blake
Blake, & others, against the petition of Thomas Gerrish,
for leave to build a new iron found street, South Boston,
near the Brewery. Referred to the Committee on paving.

Petition of Adams & Hane - Adams &
monk, corner of Cross & Fulton Street, for leave to run an Hammers,
iron shaft across the street for the purpose of carry-
ing power to propel machinery. Referred to the Com-
mittee on paving.

Petition of Benjamin Brigham
Brigham & Reuben Reed, that the street may be widened - Brattle
old leading from Brattle Square to Elm Street, by taking
ing for that purpose part of the stable lately burnt
near the Church. Referred to the Committee on streets.

Petition of Jonathan Barker
Barker, & others, to have a nuisance abated in Thich. Thacker
er Street, corner of Endicott Street, arising from the Street.
Distil house returns. Referred to the Committee on In-
ternal Health.

Petition of the proprietors of Long Wharf & Central Wharf & the Commissioners
of Long Wharf & Central Wharf & the Commissioners
of the City of Boston.

302. For building the Custom House. to have the dock cleaned,
near the head. Referred to the Committee on Internal
Health.

Smith Petition of J. R. Smith, to
Panorama exhibit Panoramic Paintings of Cincinnati, Louisville,
Page New Orleans, Conflagration of Moscow, in company with
Albino Lady Miss Hayden's scientific & optical illusions, at Amory,
Stocking Hall, of Prince's Page, to exhibit an Albino Lady, the
Equestrian. Irish giants, the Lilliputians &c. at Concert Hall, of
J. W. Stocking, to exhibit equestrian performances on
Haverhill Street at South Boston. Referred to the
Committee on Licenses with full power.

Brinknall Petition of Charles Brink-
Primary, nall, & others to have a new primary school provided
School at East Boston. Referred to the Committee on pub-
house lic buildings

Bradshaw Petition of J. P. Brad-
Greenwood. Shaw, & others & W. A. Greenwood, & others, that further
time may be allowed them for removal from Faneuil
Hall market. Referred to the Committee on the market.

Ann Ordered, That the City
Brinknap & Marshal notify the Proprietors of estates on Ann
Myrtle Street, Brinknap Street & Myrtle Street whose side
Streets. walks are out of repair to cause them to be repaired
according to law.

City Ordered, that from & after
Attorney. the passing of this order, it shall be the duty of the

City Attorney & that officer is hereby authorized to do 303.
make & receive, in the name of, & as agent for the City
of Boston, of towns, Cities or individuals in this Common-
wealth, all such sums of money as shall be certified to
him by the Overseers of the House of Correction, to be due
to the City of Boston, for the support of persons in said est-
ablishment. Passed in Common Council. Came up for
concurrence. Read, & concurred.

Memorial of the Marine
Proprietors of the Marine Railway, respecting taking Rail
their premises to widen Commercial street. Referred to (may.)
the Committee on streets.

Ordered, That there be Webb
paid to Timothy Webb the sum of eighteen dollars,
in full for damages sustained by him as tenant to Jo-
seph Berre, Esq. by taking a part of a house occupied
by him, to widen Court Square, on his releasing the
City from all further damages.

Joseph B. Prince licins Auctioneer
as an auctioneer & his bond approved. licinsed.

Petition of Ann Love (Sarah)
and others, that a common sewer may be made in A. street. A. street.
Read & thereupon ordered, that an or-
der of notice in the usual form be issued, returnable
on Monday next, four o'clock p.m.

The board proceeded,

304. By ballot to the choice of a resident Physician to
Physicians the choice of a resident Physician to the Public in-
Institutions titutions at South Boston, & upon the votes being ta-
S. Boston. ken it, appeared that John S. Butler, M.D. was
chosen, in concurrence with the Common Council.

Adjourned to Monday
next, four O'Clock, p.m.

At a Special Meeting of
the board of Aldermen, held at City Hall, on Thurs-
day the nineteenth day of September A.D. 1839.

Present.

The whole board of Aldermen. The Mayor be-
ing absent. Aldermen Wetmore was chosen Chair-
man for temporary.

Welch
Milk
street.

Ordered, that there be paid
to John Welch, the sum of three thousand & seventy
four dollars & seventy five cents, in full for four hundred
and fifty three feet of land taken from his estate
to widen Milk street, at the corner of S. Bath
street, including damage done to the building on
his giving a sufficient record of the same, & releas-
ing the City from all damages.

Adjourned to Monday next,
four O'Clock, p.m.

At a meeting of the board of 305.

Aldermen of the City of Boston, held at City Hall, on
Monday, the twenty third day of September 1839.
Present.

The Mayor, & the whole board of Aldermen, except
Alderman Farnham.

Remonstrance of William White
J. White, & others against discontinuing any part of
Castle Street. Referred to the Committee on streets. Street.

Memorial of Samuel Thompson &
Thompson & Nathaniel H. Magoun, respecting damage, Magoun
to their building which is now being cut off to widen
Salem Street. Referred to the Committee on streets. Street.

Petition of Henry Pympton Pympton
praying that Theatre Alley may be repaired & accep- Theatre
ted as a public avenue, or otherwise, that the owners (Alley)
may be compelled to put the same in good & suitable
order. Referred to the Committee on streets.

Petition of the Light Polish
Infantry Company of Valuski guards, that they, guards,
may be allowed twenty five dollars for their arm-
ory. Referred to the Committee on public buildings.

The Committee on acco- Allen
unts to whom were referred the accounts of the Super- Paperagers,
intendent of Allen Paperagers, reported, that they

306. Have examined the same, & believe them to be correct.
Read & accepted. Sent down for concurrence. Came
up concurred.

City Hall.

Order of the Common Council
referring the following order to the Committee on the
erection of a new City Hall, to consider & report. 21st.
Ordered, That the joint committee on the erection of
a new City Hall, be instructed to pay the sum of five
hundred dollars, for the best plan & model for a City
Hall, that shall be presented to said Committee on or before
the first day of December next." Came up for concu-
rence. Read & concurred.

Nuisance
Portland
Street.

Whereas a nuisance exists
on the estate No. twenty three Portland Street, caused
by the vault leaking into the yard of the adjoining
estate, also for not being two feet off from said estate.
Therefore it is ordered: that the Marshal notify the
owner or agent of said estate to cause said vault to
be made tight & removed to the distance required
by law, & in case of neglect so to do, that the Marshal
cause said nuisance to be abated, as above, & the
expense charged to those interested.

Nuisance
Suffolk St. &
Carney
Place.

Whereas a nuisance caus-
ed by stagnant water & filth exists upon a vacant
lot situated on the corner of Suffolk Street, & a
private passage way running through Carney
Place to Washington Street. It is hereby ordered
that the owner of said lot be notified to abate the

nuisance, within five days, from said notice, & in case 30%
of neglect that the Marshal be & he is hereby autho-
rized to abate the same, & the expense be charged to the
owner.

The Committee on the petition of Thomas Gerrish & others, for leave to sink a Second
well in Second Street, South Boston, near the Brew-Street
crop, reported, that the prayer of said petition ought
to be granted, & recommend that the petitioners have
leave to withdraw their petition. Read & accepted.

The Committee on the petition of Adams &
Hammond, for leave to run an iron shaft ac-
ross the street at the corner of Cross & Fulton Streets, City of Boston
for the purpose of carrying power to propel Machinery, Accts.
reported, as follows, viz: That they recommend that
the prayer of the within petition be granted, on con-
dition that the work be done at the expense of the peti-
tioners, & to the satisfaction of the Committee, removable
at the pleasure of the Mayor & Aldermen. For the Com-
mittee, J. Quincy.

An Ordinance to regulate Wood Vendors
the sale & measurement of wood & bark for fuel, brou-
ght into the City of Boston. Read & passed.
Sent down for concurrence.

The Committee on the petition of
Nathaniel Greene, for an increase of the acco-
modations of the post office, reported as follows.

308. viz. That they have attended to the subject with care,
I am strongly of the opinion that it is on all accounts
desirable that the Post office should continue in
the same building in which it has so long & so greatly
accommodated the public. It would not be easy to
find so suitable a situation, & quite impossible to find
a better, & the only considerations which seemed to the
Committee important in relation to the business were,
whether the public could also be accommodated with
what now seems an almost necessary appendage to
the Post office, viz. a Merchant's reading room, and
whether the space desired by the petitioner could
be allowed him without too great a sacrifice of rent
on the part of the City. With respect to the first subject,
the Committee ascertained that the leases of the oc-
cupants of the basement story of the City Hall are about to ex-
pire, & that the City government will therefore be at lib-
erty to make any new arrangement they may think
proper to adopt. The first floor of the building now rents
for Two thousand five hundred dollars, & if it be convert-
ed into a post office it is not expected that it will bring
more than Two thousand dollars, but the Committee
are convinced that it is for the interest of the City to
make this apparent sacrifice. For the following reason.
The upper stories of this building will be leased
whenever the City government shall remove into an-
other edifice, & the rent of apartments here will un-
doubtedly be nearly or quite double, if the post off-
ice is below, what they would be, if it were removed

to another building. The post master has received very 309.
advantageous offers, if he will remove; but from a
very laudable desire to accommodate the public,
& the merchants, he is disposed to use every effort to
remain in this favorite situation. The Committee
are satisfied that the basement story may be con-
verted into a reading room fully equal in all re-
spects to the present one, & in some particulars pos-
sibly superior advantages. Under these circumstances
the Committee are convinced it will be for the inter-
est of the City to make the alteration suggested, &
recommend the adoption of the following order. For
the Committee. Thos. A. Eliot. Ordered, That
the Joint Committee on Public Buildings be authoriz-
ed & instructed to lease the whole of the first floor
of the City Hall, to N. Greene, post master, for a term
of time not exceeding five years, from first of
January next & at a rent not less than Two thousand
and dollars per annum, & also to convert such
part of the basement story of the same building as
may be necessary into a reading room. Provid-
ed the expense shall not exceed five thousand
dollars for the entire alteration. Read & Accept-
ed. Put down for concurrence. Came up concurred.

On the Petition of Ann Jane Loring,
ex. & others, that a common sewer be laid in A. S. Street,
& now it appearing that notice be given
agreeably to the order passed this board on Nov.

310. Day last, & no person appearing to object, it is there-
upon ordered, that the Committee on drains & sewers
be authorized to cause said sewer to be laid, if they
shall deem it expedient, & agree the same accord-
ing to law.

Constable.

Charles Smith nomina-
ted & appointed Constable of the City of Boston &
Asa Brown, Police Officer.

Scoll
Second St.

The Committee on lay-
ing out & widening streets to whom was referred the
petition of Thomas Gould & others praying that
Friend Street may be widened, have attended
to the same & ask leave to report. That the prayer
of the petitioners ought to be granted, the street
has been widened on Hancock Street & also on the op-
posite end & made thirty feet wide. The remaining part
is but about twenty feet wide & is entirely insuffi-
cient for the present travel which is rapidly increas-
ing. They propose therefore that the said street should
be widened from Beacon to Hancock streets, but that
only part of the obstructions should be removed the
present year & they offer the following resolution and
orders for the Committee. Tho. Wetmore. In the Board
of Aldermen September 23. 1834. Resolved that
the safety & convenience of the Inhabitants re-
quire that Friend Street should be widened in
manner following viz. Beginning on the southerly
side of a passage way at the distance of thirty feet
southwesterly from the front of a brick house owned

& occupied by David Kendall, from thence running, 311.
Northerly by a straight line three hundred and
thirty eight feet more or less to Sudbury street,
late Deacon street, at a point distant thirty feet south
westerly from the front of another Brick House owned by
Washington Munroe, then running northeasterly by
said Deacon street, six feet six inches, then easterly by
said Deacon street or Friend street seven feet six inches,
then running southeasterly by the present line of
Friend street three hundred & twenty eight feet
more or less, to the southeasterly side of said Passages
way, then running Southwesterly nine feet nine
inches, by land heretofore taken from the estate of
Henry Binnor, deceased, to widen said Friend street,
to the place of beginning; taking from land of Ezra
Allen Four hundred & sixty one square feet, from
land of the heirs of Charles H. Jones six hundred
& fifty five square feet, from land of Samuel Pratt
one hundred & ninety square feet, from land of David
Woodman one hundred & eighty nine square feet,
from land of the heirs of Amos Binney three
hundred twenty six & one quarter square feet, from
land of the heirs of Daniel Bemis & others four
hundred & forty eight square feet, from land of
Henry Tarnum, two hundred & twenty six ^{square} feet
as marked on a plan drawn by J. S. Foster
dated September 14 1838. It is therefore ord-
ered that Friend street be widened by taking
the before described estates & the same is hereby

312. Widened & laid out accordingly. And it is further ordered that notice be given to the owners & occupiers of all the said estates lying between the passage way adjoining the land lately belonging to Linnor & the estate of Mr. J. Bemis, to remove all obstructions on the said estate (as far as the same is hereby taken to widen said street) on or before the first day of June next. and that all obstructions on the remaining part of the land hereby taken be forthwith removed.

Adjourned to Monday next, four
O'Clock, p.m.

At a Meeting of the Board of
Aldermen of the City of Boston, held at City Hall, on Monday
the Thirtieth day of September 1839.

Present.

The Mayor, & the whole board of Aldermen, except Aldermen
Gurney & Hayward.

Rainsford
Island.

Resolved, That the City Council
will visit Rainsford Island, on a day, as early as may be nam-
ed by the Committee on Quarantine & that such preparations
be made by said Committee for their reception as has been usual on
former occasions. Passed in Common Council. Came up for Con-
currence. Read & concurred.

Sympton
Street
Alley.

The Committee on Streets to whom
was referred the letter of Henry Sympton stating that "it has
long seemed to him that a lane or alley of so much con-
stant passing of its citizens by day & night as that of The

the alley, should be put under the protection of the City Gov.³¹³
ernment like the public streets of the City, & be kept in good
respectable passing condition." The Committee agree with
Mr. Symptom entirely, & if the owners of said alley can be
induced to give it to the City as a public street, they would
recommend to have it put in good passable order forthwith.
It is now in a wretched condition & requires new planting
from one end to the other. But it is private property and
the City have no more jurisdiction over it than they have over
Mr. Symptom's back yard. The Committee ask to be dis-
charged from any further consideration of the matter. For
the Committee, Henry Barnum. Read & Accepted.

The Committee on Streets ask Portland, Me.
leave to state to the Board, that the stone steps near the corner
of Portland & Sudbury streets, project about five feet into
Portland street. That an order has recently passed the Board
to widen Portland street thirty feet, & that said widening is
now going on. It is highly proper that said steps should
be recessed at the same time & they recommend the passage
of the following order for the purpose. Henry Barnum, for
the Committee. Resolved, That the safety & convenience
of the inhabitants require that the steps owned by
C. H. Jones heirs & Jacob Bancroft which project into
Portland street be recessed. Therefore Ordered. That
the Committee on Streets be requested to cause said steps
to be recessed forthwith & the land under said steps
is hereby taken as a public highway.

314.

For
Richmond
Street.

The Committee on the petition of Michael Grace, & others, praying that Richmond Street from Abchurch Lane Street to St. Andrew Street, be widened, reported as follows, viz. That hereafter on examining this street & considering the question of widening the same. The Committee decided that it would be inexpedient to make it more than thirty feet wide. The object of said widening is to have a convenient street to communicate from Commercial Street through North Square to Prince Street & thence to the entrance to the City over Charles River bridge. now as said Prince Street is not, & probably never will be, over thirty feet wide, very little advantage would be derived by the public to have one part of said Avenue wider than the rest. But as Charles River bridge is not in a condition to travel upon at the present time. The Committee recommends that said widening be postponed until next year. For the Committee, Henry Farnham. Read & concurred.

Voters.

The Assessor made a return of the legal voters in the several wards, which are now ordered to be printed.

Shaw
Borden
Square.

The Committee to whom was referred the petition of W. G. Shaw, & others, to have the trees on Borden Square & Green Street, preserved, reported as follows, viz. That they have no knowledge of any power that this board possess to purchase land for the purpose of ornamenting our public streets with trees. The Committee would however express their full approbation of the proposals contained in said petition in the ornament to the City & the health of the inhab-

plants, by preserving & increasing green trees within the City, 315.
& they are happy to inform the Board that the Committee
for erecting a Baptist Church on said Sijmans estate have
at considerable expense made such arrangements as will
preserve the front row of trees on said estate: so that the obj-
ect of said petitioners will be obtained, & many thousands
of our most respectable & tasteful fellow citizens gratified.
For the Committee. Henry Tarnam. Read & Accepted.

The Committee on Streets to whom Brattle
was referred the notice of Amos Cutting informing the Board Square:
that as a grant for the Fifty Operatives he is about to build with-
out delay on their land fronting on Brattle Square, have
considered the subject & ask leave to report. That it is the
opinion of the Committee that said Square should be made
thirty feet wide. There is much travel through it, and
there is now a favourable opportunity to set back said
building without any cost except for the land. The
Committee therefore submit & recommend the passage of
the following resolution & order. For the Committee. Henry
Tarnam. Resolved, That the safety & convenience of
the inhabitants require that Brattle Street be widened.
Therefore Ordered, That the same be & is hereby widened
as follows. viz. Beginning at a point on the N. E. corner
of a brick wall of the estate recently consumed by fire, at
the distance of thirty feet from the front of the brick hou-
ses on the westerly side of said square, measuring at right
angles across said square; from thence running westerly
parallel with the front of said houses, thirty feet

316. distant therefrom & continuing straight, seventy two feet more or less, to the present line of said square. Then running northwards by the present line of said square eleven feet, then running north-
only a little more easterly sixty feet one inch to the north-
westerly corner of said State. Then running easterly by the
wall of said State five feet more or less to the place of begin-
ning, taking from said building to the fifty Associates, Two
Hundred & Eleven square feet as marked on a plan
made by S. P. Fuller (dated October 25. 1831.

Long Wharf

Central Wharf

Brigham St.

Brattle
Square

The Committee on the Petition
of the Proprietors of Long Wharf & Central Wharf to have
the Dock cleansed, reported, that the Committee on
Internal Health be authorized to abate said nuis-
ance: provided the expense does not exceed one hun-
dred & fifty Dollars. Read & accepted.

The Committee to whom was
referred the petition of Benjamin Brigham, & Reuben
Wood, praying that Brattle square be widened, reported
as follows, viz. That in measuring the entrance into said
Street from Elm Street, & from said square, it is found to be
the same in width, viz. Twenty seven feet wide. The pres-
ent condition of the narrow side makes it very
unsafe for feet passengers where there is such constant pass-
ing of carriages. The middle of the street is sufficiently
wide for two carriages to pass. New buildings will probably
be erected soon on the same site where the old State stood.
The Committee recommend that when notice is given that
said buildings are about being erected, that the Board

thrust them back three feet or sufficient to make the street 31¹/₂ feet wide, & that width be continued to the front as fast as new buildings are erected on that line of the street, & that no further action of the board is required at the present time.
To the Committee. Henry Barnum.

Remonstrance of J. T. Gray.
Gray, & others, against the erection of a statue near the Church in Brattle square. Referred to the Committee on streets.

Petition of Josiah Knapp, Knapp & others, to have some alteration made in the drain in Eliot & Elm Streets, so as to abate a nuisance existing there. Also.
Referred to the Committee on drains & sewers.

Petition of Benjamin Russell.
Russell, & others, to have a common sewer laid in Lincoln Street. Referred to the Committee on drains & sewers.

Petition of Robert Wipley, Wipley for leave to sink a well in Commercial Street. Referred to the Committee on paving.

The Committee on the Petition of Nicholas Page for a license to exhibit an African, called the Irish Giant, the dwarfs &c. at Concert Hall, reported that a license has been granted. Accepted.

The City Treasurer and Mortgage Auditor having certified that a bond signed by John Arnold, by which he became obligated to pay the City.

318.

The sum of five hundred & ~~thirty~~ dollars, the payment of which was secured by mortgage recorded with Suffolk Deeds Lib. 466. fol 184. has been fully paid, both principal & interest. Thereupon ordered, that the Mayor be requested to discharge the same on the record.

Adjourned to Monday next,
four o'clock p.m.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the seventh day of October, A.D. 1839

Present,

The Mayor, & the whole board of Aldermen, except Alderman Gurney.

Russell
Lincoln street.

The Committee on the petition of Benjamin Russell, & others, praying that a common sewer be laid in Lincoln street, reported, that an order of notice be issued in the usual form, to return on Monday next, four o'clock p.m. Read & Accepted.

Wipley
Commercial
Street.

The Committee on the petition of Robert Wipley for leave to sink a well in Commercial street, reported as follows, viz. That in their opinion the prayer of the petitioner ought to be granted on the following conditions, viz. First. That the location of the well be such as the committee of the board of Aldermen on paving & repairs of streets, may direct, & that it be completed within thirty days. Second. That the petitioner sink the well at his own expense, save the City harmless from

all damage. cover the well with strong flat stones, & leave the street in as good condition as the same now is. Third. That the well be used by means of suction only, conveying the water through leaden pipes beyond the line of said Street. Fourth. That if by any reason, at any time hereafter, the well should become injurious, or a nuisance, to any of the persons occupying houses in its vicinity, the Mayor & Aldermen shall have authority to cause the same to be filled up, without rendering the City responsible in damage for so doing, to the Petitioner or his assigns. For the Committee. Samuel Quincy. Read & accepted.

The Committee on the Petition of the Pulaski Guards, that a sum of money may be granted them for the hire of an Armory reported as follows. viz. That in their opinion the prayer of the petition ought to be granted, & recommend the passage of the following order. For the Committee. Saml. A. Eliot. Ordered. That there be paid to the Pulaski Guards the sum of seventy five dollars for an Armory. Read. Accepted & the order passed.

Oliver Smithfield, born Auctioneer sell as an Auctioneer & his bid is approved. Licensed.

Petition of Benjamin Rand, & others, for leave to plant trees on the sidewalk in Mount Vernon street. Referred to the Committee on paving.

Petition of the Massachusetts Charitable Mechanic Association to hire the New Church.

320 over Faneuil Hall Market, for a term of years. Referred to the Committee on public buildings. Sent down for concurrence. Came up concurred.

Deer
Island.

Ordered, that the Committee on public lands be instructed to provide for leasing Deer Island, when the lease to the present incumbent shall expire. Sent down for concurrence. Came up concurred.

Lunatic
Hospital.

An ordinance relating to the Boston Lunatic Hospital, passed in concurrence with the Common Council, with Amendments. Sent down for concurrence. Came up concurred.

Wheeler
Richmond
Street.

Ordered, that there be paid to Benjamin Wheeler, the sum of four thousand, six Dollars & eight cents, in full for thirty six hundred & six feet of land taken from his estate to widen Richmond Street, on his giving a sufficient deed of the same, and releasing the City from all Damages.

Births,
Deaths &
Marriages.

Order of the Common Council appointing Messrs. Shattuck, Chapman, Bates, Wellington & Merens, with such as the Board of Aldermen might join, a committee to take into consideration the records of births, deaths & marriages, & the papers on file in relation to these subjects, & to report such abstracts from said records & propose such alterations in our system of Registration as they may think

Proper. Came up for concurrence. Read & concurred. 321.
& Aldermen James Harris. Quincy & Isaac Harris are
joined.

Petition of Daniel Bem. Bem's heirs
is's heirs, praying that they may be compensated the Friend Street.
damage, which they sustained in taking their estate
to widen Friend Street. Referred to the Committee on
Streets.

A message was received from the Common Council, proposing a convention of the City,
Council, on Thursday evening next at half past seven O-
clock, in the Chamber of the Common Council, for the purp-
ose of determining the number of Representatives which
it is expedient for the City to send to the next General
Court. Read & thereupon ordered, that a message be
sent to inform the Common Council that this Court con-
curs in their proposition to form a Convention at the time
& for the purpose above expressed. Representatives
Number 4.

Adjourned to Thursday eve-
ning next at a quarter after seven O'clock.

At a Meeting of the Board of
Aldermen of the City of Boston, held at City Hall, on Thursday
the tenth day of October A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen, except Alder-
men Tarnam & Isaac Harris.

In Convention.

Representatives.

Agreeably to a signment the two branches of the City
Council met in Convention, for the purpose of determining
upon the number of Representatives it is expedient for the
City to send to the next General Court. Resolved, by the
Mayor, Aldermen, & Common Council of the City of
Boston, in Convention assembled, that it is exped-
ient for the City to send fifty six Representatives to
the next General Court.

The business of the Con-
vention being accomplished, the two branches separat-
ed.

Adjourned to Monday next,
Four O'Clock p.m.

At a meeting of the board 323
of Aldermen of the City of Boston, held at City Hall, on Monday,
the fourteenth day of October, A. D. 1839.
Presents.

The Mayor, & the whole board of Aldermen, except al-
derman Curney.

Ordered of the Common Council, Woods
recommitting the ordinance regulating the survey and Bark. ^{2 months}
all measurement of woods & bark for fuel brought into the
City by water, & committing the remonstrance of Solomon
Piper, & others, dealers in those articles against said ord-
inances, to the same committee to hear the parties. Came
up for concurrence. Read & concurred.

Quarterly report of the Price-Measure of
the House of Reformation, of the state of that Insti- Reformation.
tution. Read & sent (Comm.)

Ordered, that S. S. Fuller Marine
take a survey of Commercial street opposite the Marine Rail way.
Rail way, & give the description of widening said street, tak-
ing off seven feet from the head house of said Rail way,
a part of the Trunk's estate, so called, & a part of the build-
ings opposite said Rail way.

Ordered, that the sum of \$1000
one thousand Dollars be paid to the heirs at law of Dr. Daniel
Litt, in full satisfaction of their claims for damages against
the City for land alleged to have been taken by the City
from the estate of said Dr. Litt, North Market street, lying
westerly of the land of Amasa Weston, & also in full satis-

324. Satisfaction of their claims for damages by reason of alleged obstructions in & upon the ancient way or street leading from Union street by the present front of their store or messuage, easterly to the Rice Buck alley, formerly so called, & for damages by discontinuing said ancient way or street, & for all other damages of every description which have arisen, or might in any way or manner arise, in the premises by reason of any acts or claims of the City in the premises.

Shues

Ordered, that there be paid to Azel Prince Street Shues, the sum of thirty nine dollars & thirty seven cents, in full for seventeen acres one half of land taken from his estate to widen Prince Street, on his giving a sufficient deed of the same & releasing the City from all damages.

Side walks.

Ordered, that the City Marshal be directed forthwith to make out bills against all persons who are, or may ^{be} hereafter justly indebted to the City, on account of any side walks constructed at the expense of the City, & to leave said bills with the City Treasurer for collection.

Gray

Brattle square, was referred the remonstrance of S. J. Gray, & many others, object-
ing to the erection of a Statue on the site of one recently destroyed by fire in Brattle square, reported as follows viz. That in the opinion of your Committee the Board of Aldermen have no jurisdiction over buildings of the description alluded to except to set them back to the perspective line of the street. That service has been done. The building now erecting has been set back three feet to widen said square. said remonstrants have cited the Sen of the Commonwealth on the subject of Diversity

States, being erected within the town of Boston. It is understood 325.
that when the State was erected that has recently been burned,
that Judge Shaw & others learned in the law decided. That it
was not a Querry State & that States used by Tavern keep-
ers to accommodate travellers (ever not fall under that de-
nomination, whether this is the fact or otherwise, it is not
the province of this board to decide. Those that are annu-
al by this class of buildings may if they please resort to
the Courts of Justice for redress. With these brief remarks the
Committee ask to be discharged from any further considera-
tion of the subject. At the Committee. Henry Farman.
Read & Accepted.

The Committee on the erection of the Hospital for the insane at South Boston, reported as follows. Hospital.
my They state to the Council that the building is so far com-
pleted as to be ready to receive the necessary furniture, & they
have accordingly prepared an estimate of the sum which
will be required for this purpose, which they herewith transmit.
As the Superintendent of the house has been appointed, and
will enter on his duties, as soon as the requisite accommo-
dations can be provided, it is also necessary to make an
appropriation for his salary, & for that of the other officers
& servants who will be needed in the establishment. Pro-
visions to the beginning of the next financial year. Pro-
visions & fuel must also be furnished for the approach-
ing winter by a special appropriation, & though the
aggregate may seem large, yet it will be recollected
that the expenses of keeping the same inmates in the estab-
lishments where they now are will be saved, & the compensa-

326. are now allowed to the physicians who attend on the other houses will no longer be called for. The appropriation for furniture, & the expenses of the Hospital for the next seven months is estimated by the Committee as follows.

To Furniture for rooms for the Insane	\$1600
" " " " Superintendent	1800
Salaries	3.065
Provisions	3.000
Fuel	1.000
	<u>9.465</u>

They therefore recommend the adoption of the foregoing order. To the Committee. Saml. A. Eliot. Ordered, That the City Treasurer be, & he is hereby authorized to borrow under direction of the Committee on Finance, a sum not exceeding ten thousand dollars for furnishing the Hospital for the Insane at South Boston, & supporting the same during the present financial year. Reported in Common Council, & came up for concurrence. On the question of passing the order in concurrence, the yeas & nays being required, agreeably to the rule of the City Council & were taken as follows, viz. Yeas. Aldermen Tarnham, Wetmore, Maynard, Huntington, Quincy, Isaac Morris and James Morris 7. nays none. So the same passed in concurrence with the Common Council.

City Hall.

Order of the Common Council instructing the Committee on the erection of a new City House, to report their reasons for removing the buildings on the estate purchased by them on School Street. Also what sum (if any) was paid to the tenants for vacating

their treasurers, & in what manner the materials composing 327.
said buildings were disposed of. Came up for concurrence.
Read & nonconcurred.

Ordered, that the Mayor, Ald. Hospital
eruew Taruam & Wilmore with such as the Common Council of
Council may join to the board of visitors of the Susan Hosp. Visitor
Hall at South Boston. That learn for concurrence. Came
up concurred, & the Common Council appointed in its
part. Heps. March. J. Parker, Stearns & Lewis.

Wm. J. Clark proposed an amendment
in the petition of Benjamin Brand & others. Appointed
The Committee on the petition of Benjamin Brand & others, to have to plant trees
on side walks in Mount Vernon Street, reported, that the
prayers of the petitioners be granted. Read & accepted.

On the petition of Benjamin Brand & others, that a common sewer be laid in Lincoln
Street. And now it appearing to the board that notice
has been given, agreeably to the order, passed this board
on Monday last, & several persons appear and object
to the same, & after a full hearing of the parties interest
in it, it is thereupon ordered, that it be referred to the
Committee on sewers & drains, with full power to cause
said sewer to be laid, if they shall deem it expedient.

The Committee on drains & sewers reported, that a barrel sewer has been laid
in Lincoln Street.

328. in Aurora street, eight hundred eighty six feet in length, & twenty inches diameter, agreeably to the petition of Elizabeth Sherman & others. said Committee also reported, that the common sewer in Aurora street between Criss & Mechanic has been cleared out, & an additional barrel main constructed twenty inches in diameter, for about forty feet. Accepted.

Foster
Broad street.

The Committee on the petition of William Foster, & others, to have a common sewer laid in Broad Street, reported as follows, viz. that the evils complained of in the within petition are occasioned by the filthy habits of some of the residents in Broad street who are in the custom of throwing various substances into the street, contrary to the City ordinances, and that the said evils will not, to any extent be remedied by laying the proposed sewer, which if laid will be an extremely expensive one to the City & not of sufficient benefit to individuals to enable the City to reimburse itself for the cost. They therefore report that the Petitioners have leave to withdraw their petition. For the Committee. Tho. Wetmore. Read & Accepted.

Water.

The Committee on the Introduction of Soft water into the City ask leave respectfully to state to the City Council that they have given much attention to this important subject during the past summer. & notwithstanding there has been less public interest displayed in it than in some preceding years, yet has appeared almost forgotten by others, they are themselves more than ever impressed with the propriety, the expediency & within a few years, the necessity of the measure. The arguments on which this opinion is founded have often been urged upon the attention

of the Council, in various forms. It is not therefore necessary to repeat them. The general principles, the facts, the reasonings on which the friends of the Project rely, are well understood, & all that remains is to meet, if possible, the objections urged by its opponents to the several schemes which have been suggested. We correct some of those views & impressions which though not openly brought forward are nevertheless powerfully operative in producing a silent opposition to any & all of the Plans which have hitherto been proposed. One of the greatest practical obstacles, to a union of all parties on the subject, was the unfortunate difference of opinion which arose between the engineers as to the best source for supplying the wants of the City. It is scarcely possible to imagine that if they had been united, others would have been so much divided as they have been; or to doubt that there would have been a concentration of action among the friends of the Project which would not have been without its effect. A feeling of uncertainty & distrust was thrown over the whole business, & a hesitation was given to the movements of those who were in favour of action, which has thus far deprived them of success. It is not perhaps wise, though it is very natural, to hesitate in the choice between two things of almost equal excellence, either of which is sufficient for the desired object, & the first requisite to the attainment of the end, in this case, is that its friends should combine all their exertions upon some one scheme. It is not of so much importance as is often supposed, which of the plans should be adopted; for when arguments are so nicely balanced that it is difficult to determine to which

BB9.

330. side the weighty reasons, it is manifest that the decision cannot be of great moment, on either hand there are advantages enough. But if the reasons were strongly in favor of one proposition, it would be easier, & at the same time more important to secure the right decision. Let there be union, then, upon one plan, & there will be found strength to carry it through. Another obstacle, as is believed by the Committee, to the immediate success of the enterprise, was that the engineers calculated the amount of water to be supplied, & the necessary means of furnishing it, on a scale to which the public mind was not accustomed, & for which it was not prepared, though not at all more, perhaps, than it was proper & desirable for the engineers to contemplate, when proposing a plan for the permanent use of a growing city. Few persons have ever estimated the quantity of water used in their families, & almost all would be greatly astonished probably, if they were actually to measure it. Still fewer have ever calculated the consumption of water, in a city like this, for the use of animals, steam engines, distilleries, & the thousand irregular & occasional wants that can neither be foreseen nor exactly appreciated. There ought all to be allowed for, however, & were allowed for in the plans suggested by the scientific men employed by the City, and the result was an aggregate so large as to create some surprise, & alarm, as to the probable cost of such extensive works. The calculations made, also, as to the future growth of the City, served to increase the extent & the expense of the preparations thought necessary, & the Committee are of opinion that if the commissioners had proposed a plan more nearly adapted to the actual & existing wants of the City, there

would have been a better prospect of its having been speedily begun. Another source of opposition to the scheme was the natural apprehension of those interested in the present aqueduct, of the injury to their property, by the competition of the city with better means of supply than they possess. No one can blame the Proprietors of Jamaica Pond for using all honorable means to preserve & augment the value of their franchise, & no one certainly can charge them with using any other than the most proper means of honorable and open warfare. But the very zeal which they display, & it has not relaxed a moment from its keen watchfulness, is a stronger argument in favor of the project than any which they have been able to urge against it. If the aqueduct with its very limited supply, & imperfect construction is such valuable property, why should not a better one be proportionally valuable? What is there to prevent a general supply from being as general & cheap, for the same reasons that the partial & inadequate supply furnished by Jamaica Pond is so highly prized by its consumers, the customers of the aqueduct corporation? with regard to the value attached to this supply, such as it is, some striking facts are well known to all who have interested themselves in the subject. Although many persons living within reach of the aqueduct do not take the water, & it is natural enough that they should undervalue an advantage of which they have no experience, it is found to be almost universally the case that those who have used it are extremely reluctant to give up. If compelled to change their residence, the first question they ask of a new landlord is, "can I have the aqueduct?"

332. It has become almost indispensable, & they are willing to pay as
high a rent for a dwelling within its reach. A singular fact
came out before the committee of the Legislature, which it
may be not amiss here to mention. An active & zealous
opponent of the project of the City, one who extolled in the
highest terms the softness & purity of the water in his neighbor-
hood, both common & artesian, & who took pains to bring a
large number of specimens for the examination of the
committee, stated that within a few years he had discontin-
ued the use of the fine well water near his house, which he
could have for nothing, & had actually gone to the expense
of having the aqueduct brought into his kitchen, & was con-
tented to confine himself to the use of Jamaica Pond water, &
pay the regular annual charge for it. This is impossible for
the friends of the introduction of pure water to present as
stronger illustration of the practical importance of the
scheme. The inconvenience & expense of carrying a buc-
ket, across the street, are more than equal, in the opinion
of an active opponent of the introduction of soft water,
to the outlay for the leg. & the annual tax on the water. All
other objections which have come to the knowledge of the com-
mittee, arise directly or indirectly from the fears on the part
of holders of real estate that the taxes, especially on that
species of property, will be greatly increased by the outlay
necessary, & that the use of the water being made free
to all inhabitants, this increase of their burdens will
become perpetual. The committee cannot affirm that this
will not be the case, but neither can the objectors know
that it will be. The argument assumes that a dis-

reputable course of conduct will be pursued by our fellow citizens 333.
and a disposition to do which they have never given any
evidence. & also assumes that we are inferior in this respect
to other cities where similar apprehensions have been felt
but never realized. As far as the Committee are informed such
a breach of faith has never been practised any where, while
a great many cities in Europe & America are perfectly con-
tented to pay a moderate rate for the use of what is at once
a luxury & a necessity. The balance of probabilities, it
seems to the Committee, is in favor of good faith. And none
can estimate more highly the value of public as well as
private integrity. They are firmly convinced that honesty
is the truest policy for all corporations & bodies politic, as well
as for all individuals. If the views they are now about
to present are just, it will be apparent that all the expec-
ted advantages of the project can be obtained with only
a temporary addition to the annual tax levied in
this City, & that to no very great amount, so that the
temptation to violate good faith will be small, while
the advantage of a character for honesty is inestimable,
as even the most worthless are ever ready to acknowl-
edge. It appears probable, from the best estimates the
Committee are able to make, that in families in easy
circumstances, where water is used as freely as it is des-
ired, or as is customary at present in this City, the consump-
tion is at the rate of eleven or twelve gallons a day by ea-
ch individual. This is probably very nearly the rate at
which it is furnished by the present aqueduct to its custom-
ers. That others may judge of this, however, the Committee

334: will state that there are about fifteen hundred customers, which including streets & steam engines are equal to eleven thousand individuals, & that the amount of service is known not to exceed one hundred thousand gallons per day, & making a proper deduction for leakage & waste in the legs it passes through, the Committee presume does not over-run & perhaps falls short of one hundred & fifty thousand gallons, which is thirteen & two thirds gallons nearly per head. In many other families the rate of consumption is certainly not greater than has been stated, so that it may, in the opinion of the Committee be considered as established, that fourteen gallons a day to each individual would be a sufficient & liberal allowance, animals, steam engines & contingencies included, according to the habits of the place. If then provision were made for the supply of this quantity to the City for as many inhabitants as will probably be found upon it within the next fifty years, the Committee are of opinion that all will have been done which is incumbent on the present generation, & that such additions as may be then necessary can be made without difficulty by our successors. In estimating the probable number of customers, something else must be taken into consideration besides the mere amount of the population, As the well water is now entirely deteriorated, as to prevent people from drinking it for many years with apparent impunity it is probable that many, will continue to be found who, from habit or long cherished opinions, will prefer to use well water. The proportion of persons,

who take water of the present aqueduct is about one in 33
three of these by whom (as it is paper), but as many are
deterred from taking it by doubts of its regularity and
certainty which will not be entertained with regard to
the City aqueduct, it will be fair to suppose that over
half of those who have an opportunity to take it will
avail themselves of it. All new owners, or rather new
owners of new houses will glad to see their interest,
& may therefore be presumed, to take the pure water
when it is offered to them at much less than the interest on
the cost & repairs of a well & cistern, which can only supply
them with inferior water. If forty thousand persons, half
the present population be deducted from the probable num-
ber in the City, forty or fifty years hence, or say from double the
present number of inhabitants, there will remain one hun-
dred & twenty thousand persons to be supplied, according to the or-
dinate just now made, with fourteen gallons each daily,
making an aggregate of one million, six hundred & eighty
thousand gallons per diem. This estimate will vary
according to differing judgements of the number who
will decline taking the water. If the number be great-
er, the quantity of water to be supplied may be less;
if more be required, it will be seen that by the plan
the Committee are prepared to suggest, there will be room
for a much heavier draught on the resources. It has
been stated that something like one hundred & fifty thou-
sand gallons a day are delivered by the aqueduct to the
population; & it is known that Jamaica Pond supplies
to the pipes about two hundred thousand gallons, the

336. is a wastage equal, so far as can be judged without actual measurement, to at least as much. If all the produce of the pond were secured, therefore, there would be four hundred thousand gallons at command; but as it is possible that there would be some leakage after all efforts to stop it, the committee will only estimate the available product at Three hundred thousand gallons. This, it will be observed falls still far short of what the pond has been supposed capable of yielding by men of distinguished science, & the committee cannot but feel themselves on the safe side in this calculation. It appears from the last report of the majority of the Board of Commissioners, that from their measurements they have satisfied themselves that this pond, in its present state, may be relied upon for one million seven hundred thousand gallons daily, & no doubt its yield may be increased. If these two sources were combined, then, there would be at least two million gallons a day at the command of the City, which would be enough for the probable wants of the probable population for many years to come, with a surplus of Three hundred & twenty thousand gallons a day, to make up for any errors in the calculations of the committee. This surplus might doubtless be increased one hundred thousand gallons a day, by proper management of both ponds, making enough to supply an additional population of thirty thousand persons with fourteen gallons a day. The Committee will now offer some suggestions as to the probable cost of the combination of these two ponds. There is good reason

on to believe that the Jamaica Land corporation might be in- 337
duced to sell all their rights to the City for less than one hun-
dred thousand dollars. The works, though they may have
cost more than this sum are not worth so much to a very
purchaser, considering the imperfection & decay of the whole
structure. The Committee are willing to estimate it at
seventy five thousand dollars. The commissioners in their
last report state the cost of spot land, with (canals)
for all land taken, for all water rights, pipes, necess-
ary to bring water to the City at six hundred thirty six
thousand, eight hundred & ninety eight dollars of which
nearly fifty eight thousand dollars are charged for con-
tingencies; but as this includes a reservoir on Walnut Tree
Hill, which will not be wanted, & pipes of very large dimen-
sions, twenty two inches in diameter, the committee are
persuaded that a very considerable reduction may safe-
ly be made in the estimate. The commissioners very prop-
erly estimated everything on a liberal scale, & deter-
mined that enough for every purpose should be made sure.
So that the committee think it not unreasonable to be-
lieve that a work sufficient for all practicable purposes
can be constructed for a sum not exceeding five hundred
& fifty thousand dollars, or, at the outside, five hundred and
seventy five thousand dollars. It is the opinion of some practical
men that the whole work may be done for a sum not
exceeding nine hundred thousand dollars. The two ponds
with the pipes all laid as far as the City, & one of them ac-
tually distributing water, would cost six hundred &
fifty thousand dollars, on which the interest at five

present is thirty two thousand, five hundred dollars. The whole cost of distribution throughout the City is put by the Commissioner at five hundred & fifty five thousand dollars, or, with ten per cent. for contingencies at six hundred & twenty two thousand dollars. It will perhaps be accurate enough to call it in round numbers six hundred thousand dollars, the interest on which is thirty two thousand dollars, sixty two thousand, five hundred dollars then is the whole sum which need be provided for by taxation, and that will be reduced to fifty thousand dollars, at once by the income derived from the present tenants of the aqueduct corporation. Five thousand tenants at ten dollars each is all that is requisite to meet this amount. & an aggregate of six thousand, five hundred tenants is surely not too much to expect in a city of over eighty thousand inhabitants, or thirteen thousand, five hundred families. It falls short of the half of the population, which was just now stated to be a reasonable expectation. But a large portion of the expense of distribution need not be incurred, till there is a certainty of remuneration being obtained. No pipe need be laid, till it is ascertained that customers enough will draw from it to make the expenditure proper, so that nearly one half of the whole interest, may be saved to the City. If only the same ratio of customers should continue hereafter, there would still be the means of paying all charges of attendance, & learning something to reduce the debt, from the probable growth of the city; & if the expectations of the committee are just, this accumulating fund would be found to grow by the contributions of all, instead of half of the proprietors of new buildings,

339.
if the city should see fit to charge at the rate of Ten
Dollars instead of Ten shillings for every tenant, as is done
by the aqueduct, till the debt should be liquidated the
accumulation might very probably begin immediately
at such a rate as would pay off the debt in twenty years
or perhaps twenty years. In looking at the increase of
the city in the last thirty years & observing that it has
more than doubled in that period, it seems a natural
thought which is entertained by many persons, that the
prospects of increasing business render it probable that
the growth of the population for the next thirty years will
be at least equal. The Committee have no doubt that
so far as the business population of the city is concerned,
the calculation is not without foundation, that thirty
years hence there may very probably be a population
of more than one hundred & sixty thousands, the centre of
whose business will be the centre of the city. But the in-
convenience of putting so large a population within
the municipal territory will be so great that a very con-
siderable proportion of it will probably be induced to
plant themselves in the adjoining towns, & real estate
in Chelsea, Charlestown, Cambridge, Brighton, Brook-
line, Roxbury & Dorchester will come in for a share
of the business growth of the capital. It is not therefore
an irrational supposition that the process of dou-
bling will go on rather more slowly; & that the attrac-
tions of the neighboring towns in the form of pure
air, pure water, ample room & moderate rents will
retard the accumulation of eighty thousands more

340. inhabitants in the City itself till a few years later. If the growth is to be more rapid, it is only an additional reason for beginning an enterprise which will become absolutely necessary before a fifth part of the present number of inhabitants shall be added. One of the objections which have been urged against the introduction of water from any of the ponds or streams in the vicinity is that a sufficient supply may be obtained within the territory of the City, from Artesian wells, & it is said to be a proof of the facility with which this can be done, that several such wells have been dug with great success, & one has recently been made by the City, with a bore of twelve inches, which is capable of supplying a hundred gallons per minute, or one hundred and forty four thousand gallons every twenty four hours, at this rate fourteen such wells would supply Two million gallons a day, & why, should the City spend a million of Dollars, when Twenty thousand or thirty thousand dollars will answer the same purpose? The proper reply to this question is that the water from these wells is found, by experience, not to answer the same purpose. There are in fact some purposes for which the water from the South River & Neck lands is not suitable, & there are no purposes for which it is so suitable as water from several, or at least any, of the ponds in the neighboring towns. It is not so pure, & therefore not so desirable for any use to which water can be applied. In seeking a supply for great numbers of people, it would surely not be wise to resort to a confessedly inferior source, when the very best which the world affords is within reach. The extraordinary

quality of the water of Jamaica & other ponds is well known. 311.
But there is another reason which is even stronger than
this, why the attempt should not be made to supply the city
from Artesian wells, viz: the great uncertainty of the supply.
It is very doubtful, in the first place whether water
can be found in certain locations; and in the next, if
the experiment should be made successfully, & an apparent abund-
ance of water obtained, it is quite as doubtful whether that
supply will continue. The extent of the subterranean res-
ervoir is altogether unknown, & the means by which it
is supplied are equally so: & it is by no means sure that a
large number of wells can be furnished from the source which
is sufficient for a smaller number. A danger of another
kind, but equally fatal to the utility of Artesian Wells,
threatens those which are in the vicinity of the sea coast,
viz: that though the water may continue to rise with each
stroke of the pump, it may be salt water instead of
fresh. The connexion between these subterranean streams
& the ocean is not proved nor doubted by geologists, and
it therefore follows that if the supply of fresh water be drawn
down, the water of the ocean will rush in to supply its
place. It seems scarcely reasonable to encounter all
these risks, & this uncertainty, when sources of suc-
cessful supply can be had at a moderate rate. A spring which
has been known ever since the continent was known, and
which has continued through all the causes of depression
which have operated upon it for the last five hundred years,
is not very likely to fail from those which are to oper-
ate on it during the two next centuries. Especially

342. is a pond which, like Spot Pond, is at such an elevation as to preclude the necessity of pumping, & is of so pure a quality as to be almost unequalled in that respect. Preferable to any source of supply which is neither pure nor elevated. The only other objection of which the Committee are aware, which has been urged against the plan of executing this great work is, that it could be done with more economy by a private company; & that if the City perform it, it will be at a loss of all the outlay which would be saved by individual prudence. But it must be recollected that a private company would not undertake a work of this kind without a pretty sure prospect of profit, & that consequently it must be guaranteed against competition for a term of years. It would therefore be for its interest to construct the works of such size and strength only as would be sufficient for that period, & when the public came into possession of them, they might require almost entire renewal. But supposing they were constructed in the best manner, it is clear there must be a profit secured to the Company, or at least they must calculate on it with some confidence, whereas, if the City do the work, they may reap all the benefit, or save the charges which are to make the profit of individuals. Then the work is of such a character, & involves so many interests connected with the streets, the fire department, & various other branches of the public service, that if entrusted to private hands, there would be constant danger of unpleasant collisions, & controversies injurious with the City authorities. It ought, there-

from in the opinion of the committee, to be confided to the care 313.
of the same persons who are entrusted with the other public
interests. If the plan now suggested should be found gene-
rally to meet the views of those who are in favor of intro-
ducing water, so that they will unite their exertions to ef-
fect it, & if it should be found also to meet the objections
of all whose property would be affected by the operation,
& provide sufficiently for the wants of those who are to be
supplied for a reasonable period of time. The commit-
tee can add nothing to the arguments by which they
have heretofore attempted to show the expediency of
the movement, & will only express their wish. Their
hope, their earnest prayer that some decisive action
may at length be had upon this long delayed
subject, & that they may live to see a sufficient quan-
tity of good water provided for every family and
individual in the city. The following order is
offered, as the only step now in power towards this
desirable end, by order of the Committee. Saml.
A. Eliot. Ordered, That the Mayor be instruct-
ed to apply at the earliest practicable period, to the
Legislature of the Commonwealth, at their next ses-
sion, for leave to introduce the water of Spot Pond
into the city, at its own expense, & that he be also in-
structed to open a negotiation with the proprietors
of the Jamaica Pond aqueduct for the purchase of
their property. Read, Accepted & the order passed.
Sent down for concurrence. N. B. Laid on the table
in Com. Council.

Adjourned to Monday next, four o'clock, P. M.

344

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty first day of October, 1839.

Present.

The Mayor & the whole Board of Aldermen.

House of
Correction.

Quarterly accounts of the Overseers of the House of Correction. Referred to the Committee on County Accounts.

Auctioneer
licensed.

Andrew W. Schaffer licensed as an Auctioneer & his bond approved.

Follett.

Petition of Dexter Follett for leave to construct a cistern under the sidewalk in Green Street. Referred to the Committee on paving with full powers.

Fruit
Street.

Whereas a nuisance exists on estates in Fruit Street, near Jackson's wharf, caused by said estates not being furnished with good & sufficient drains, to carry off the waste water under ground. Therefore it is ordered, that the City Marshal notify the owners or agents of said estates to cause good & sufficient drains to be laid within seven days, in case of neglect so to do, that the Marshal cause said nuisance to be abated as aforesaid, & the expense charged to those interested.

Union
Street.

And whereas a nuisance exists on estate No. 17 Union Street caused by the drains being stopped, so that the waste water will not pass

off under ground. Therefore it is ordered, that the Marshal 345.
notify the owners or agents of said estates to cause said drain
to be opened & cleared within seven days, & in case of neg-
lect so to do, that the Marshal cause such nuisances to be
abated, as above, & the expense charged to those interested.

Whereas an obstruction exists Tremont
upon the sidewalk in front of what is commonly known as Street.
the Belchis estate in Tremont Street, & also said sidewalk
being in an unsafe condition, therefore ordered, that the
City Marshal notify the owner of the building upon said
estate to remove said obstructions from the sidewalk in a
safe state for travel in four days from said notification, &
in case of neglect on the part of said owner so to do. The
Marshal have the same done at his expense.

Ordered, that there be paid, Cummings
to Roland W. Cummings, the sum of one hundred & seventy Tremont
five dollars, sixty two & a half cents in full for seventy feet &
one half of land taken from his estate to widen Tremont
St. in his giving a sufficient width of the same & releas-
ing the City from all damages.

Ordered, that there be paid to Forten F. Forten, the sum of forty one dollars and Tremont
seventy five cents, in full for forty one & three quarters feet of
land taken from his estate to widen Union Street, in his giv-
ing a good & sufficient width of the same & releasing the City
from all further damages.

346.

Ordered, that there be paid to the

Pitts heirs at law, of Lrudub Pitts, the sum of twenty six doll-
ars & eighty seven cents; being the amount of costs against
the City for land & damages to their estate on North
Market street; said suits being in the name of Robert
Brinley, &c. vs. Faxon.

Moore
Washington
Street.

Ordered, that there be paid
to Thomas Moore, the sum of thirty two dollars in
addition to two hundred dollars already paid him in
all, one hundred & thirty two dollars, in full for dam-
ages he has sustained by the cutting off a part of a
store occupied by him and tenant, to widen Wash-
ington Street, on his releasing the City from all further
damages.

Barry

The referees in the case of
a demand of William Barry against the City reported,
that there be paid to him, forty nine dollars & twelve cents,
and to the referees fifteen dollars for their services.

Case Co.

The Committee on the fire
department to whom was referred the petition of the City
Fire company for an increase of the number of their
said company, reported, that no increase is necessary.
The duty is now well performed, to the satisfaction of the
engineers, & the fire department generally, & the Committee
cannot believe, that it is by any means of prop-
riety. An alteration in the wheels of the carriages,
which is to go into effect immediately will probably
remedy all difficulties. Read & accepted.

The Committee to whom 347.
was referred the petition of Mary G. Nash claiming
damages, in consequence of placing certain dwelling houses
on Endicott Street & Fayette Avenue; at an improper
elevation by advice of the Chief Engineer of the Fire Depart-
ment some years since, reported, that no damage should
be allowed, & ask to be discharged from any further con-
sideration of the subject. Read & Accepted.

The Committee on the Market - Broad Street at
et to whom was referred the petitions of Jesse Bradshaw, Margaret,
Sister Mesmer, William, J. Greenbrook & E. A.
Shupe, for leave to continue to occupy the sidewalk,
on the south side of Fauquier Hall Market, as stands
for the sale of refreshments, reported, that it is in-
expedient to grant the prayer of the petitioners & recom-
mend, that the Clerk of the Market cause said
stands to be removed. Read & accepted.

Petition of Samuel. Faleo & Faleo
others to have Exchange Street paved with wood. Resolved
to the Committee on paving with full power.

Adjourned to Monday next,

four O'Clock p.m.

348.

At a meeting of the board of Aldermen, of the City of Boston, held at City Hall, on Monday the twenty eighth day of October, D. 1839.

Present

The Mayor, & the whole board of Aldermen.

Bulfinch

Faneuil Hall, read from Charles Bulfinch, Esq. with the drawings made for the enlargement of Faneuil Hall in 1805, together with an abstract of the votes of the town of Boston, on the original donation, & the proceedings relative thereto, until its enlargement, which was prepared for publication at that time. These papers have been in his possession hitherto; but believing that they would be better preserved among the City records, he presents them for the disposal of the board. Read, accepted & ordered to be placed on file.

Shumner's

Ex't

The Committee on County accounts to whom was referred the Memorial of the late Sheriff C. P. Shumner, Esq. & also the petition of Relief Shumner, Execution, being unable to find any authority in the law of the Commonwealth concerning the compensation allowed to sheriffs, & allow them to grant their requests, beg leave to report, that the petitioners have leave to withdraw & ask leave to annex their report the opinions of the City Solicitor. For the Committee Joseph H. Hayward. Read & accepted.

Common sewers.

The Superintendent of

Drains sewers made an apportionment of the cost of work. 349.
voting a common sewer in Salem Street. Read and
passed & ordered that the Superintendent make out
the several bills & lodge them with the Treasurer for
collections.

Gustavus Andrews and Constables.
William Whitman nominated & appointed Constables.

The draft of an ordinance in addition to an ordinance prescribing rules & regula-
tions relative to nuisances, sources of filth, & causes of
sickness within the City of Boston. Read & referred to
the City Solicitor.

Remonstrance of Joseph Revere
Mr. Revere, & others, against altering the line of Comm-Commercial
Street near the Marine Building, as proposed. Referred to the Com-
mittee on streets.

Petition of William D. Bell, Bell.
to be paid for land taken from him to widen the Salem Hillman
Street, corner of Salem & Hillman streets. Referred to the
Committee on streets.

The Superintendent of Public Lands
public lands' quarterly report. Read & put down ^{Supplemental} report.

Ordered, that there be paid
paid to Albert Quinn, the sum of seven hundred, six-
ty two dollars & fifty cents, in full for damages sustain-
ed by him in taking a part of a building occup-

ind by him as a tenant to Mary W. Berdman (that sum having been awarded to him by referees) on his releasing the City from all further damages.

Berdman.

Ordered, that there be paid to Mary
Portland Street W. Berdman, the sum of three thousand four hundred & fifty dollars,
in full for a piece of land taken from her estate to widen Port-
land Street, that sum having been awarded to her by referees, on
her giving a sufficient deed of the same, & releasing the City from
all damages.

McGrath.

Ordered, that there be paid to Ja-
mes McGrath, the sum of twenty dollars, in full for damages sus-
tained by him in taking a part of a building occupied by him,
as a tenant to Joseph Stone, to widen Court Square, on his releas-
ing the City from all further damages.

Fales

Broad
Street.

Ordered, that so much of an
order that passed the board of Aldermen on the ninth day
of October last, directing a piece of land to be taken from the
estate of Samuel Fales, to widen Broad Street, & that same
widening be carried into effect on the first day of May 1839,
as the same is hereby postponed until the first day of May
1840.

House of
Correction
accounts.

The Committee on Accounts
Accounts to whom was referred the accounts of the
Directors of the House of Correction, reported, that they
had examined the same & found them correctly cast and
well vouched. Read & accepted.

Nuisances

The City Marshal reported,
that the nuisance in Charter Street, has been abated.

the expense of the same paid by the owner chargeable, and 351.
that at the corner of Beverly street was abated after notice to the
owner by the city, & the expense of the same has not been collect-
ed, & that the nuisance in the street leading from Myrtle to
Cambridge streets has been abated & the expense has been charg-
ed to the owners of the estate & the amount partly collected.
Read & Accepted.

The lists of Voters being comp- Voters
leted. Thereupon ordered, that public notice be given, lists of
that they may be seen at the Mayor & Aldermen's room,
City Hall, & at the assessor's office, Council Hall, and
one copy at a near the place of meeting in each ward,
& one at East Boston. All legal voters are requested
to see that their names are inserted in the lists; and the
Mayor & Aldermen will attend at their room, every
day this week & the next for the purpose of inserting such
names as may be omitted, & changing those who have
removed from one ward to another, since the first day
of May last.

Ordered, that warrants be is- Warrants for
sued, for the meeting of the Inhabitants in their res- ward meetings.
pective wards, on Monday the eleventh day of Nov-
ember next, at eleven O'Clock A. M. for the purpose
of giving their ballots for Governor, Lieutenant Gover-
nor, six Senators for the District of Suffolk, fifty six
Representatives & a member of Congress for district num-
ber one, in place of Richard Fletcher resigned. The
polls to be kept open until four O'Clock p. m.

Adjourned to Monday next four O'Clock p. m.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the fourth day of November A. 1839.

Present.

The Mayor & the whole board of Aldermen.

Lunatic Hospital
Steward.

The board of visitors of the Boston Lunatic Hospital, whose duty it was made, by the Ordinance recently enacted by the City Council, to nominate to the Council a suitable person to be elected Steward of that institution, have carefully attended to this branch of their duty, & having examined into the qualifications of the several applicants, and considered the circumstances which might have an influence on the prosperity of the Institution, have decided to recommend, & do hereby recommend Mr. Francis Dana Stedman, as a person highly qualified to perform the duties of the important office of Steward of the Asylum. In behalf, & by order of the Board, Sam^l. A. Eliot. The board proceeded by ballot to confirm or reject the nomination of Steward to the Boston Lunatic Hospital made by the board of visitors to that Institution upon the votes being taken it appeared that the nomination was confirmed in concurrence with the Common Council.

Quarterly
reports.

Quarterly reports of the Superintendent of burial grounds, & Haymigher of the northward scales. Read & sent down.

Parker.

Petition of Samuel W. Parker, to be licensed to exhibit as musical & mechanical

real Exhibition at No. sixty Court Street. Referred to the 353.
Committee on licenses with full powers.

Ordered, that there be paid Warding
to Sewell Warding, eleven hundred dollars, in full for five hundred
hundred & twenty five feet of land taken from an estate occupied
by him as a tenant, to widen Court square, in his
releasing the City from all further damage.

Ordered, that the City Marshal
shall notify the owners of estates opposite the Mariners' Church in
Purchase street, also at or near No. one hundred
& four in said street, to cause their side walks to be re-
paired.

The Committee on the Petition of Benjamin Russell & others, for a common sewer in
Lincoln street, reported, that pursuant to the order of the
Board, they have not deemed it expedient to lay a common
sewer in said street, as requested, but have authorized
W. G. Burgess, one of the petitioners to make a drain from
his house, into the present common sewer, in said street,
at his own expense. Read & Accepted.

Petition of Horatio A. Crane, Crane
& others, for the Democratic party, for the use of Samuel Hall, Curtis
on Sunday evening next, to hold a Caucus, and of Thomas
mas B. Curtis, & others, for the Whig party, for the
use of said Hall the same evening, for the purpose
aforesaid. Read & pursuant to the rule the two

354. parties drew lots, & the latter drew No. one. Thereupon
ordered. That Thomas B. Curtis, & others, have the use
of said Hall on said evening.)

Adjourned to Monday next.
Four O'Clock p.m.

(At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall, on Mon-
day the eleventh day of November, A.D. 1839.

Present.

The Mayor & the whole board of Aldermen.

Common Council

Communication from Ephraim
member resigned. L. Thon, resigning as a member of the Common Coun-
cil from Ward No. five, he having removed to New York.
Came up from the Common Council. Read & filed.

Turner

Petition of Aaron Turner, &
Sons & Co. for a license for Equestrian exhibitions &c. in
a building to be erected on Leonard street. Ordered, that
the Petitioners have leave to withdraw their Petition.

South Cove

Corporation.

Petition of the South Cove Cor-
poration praying, that Ellet & Lincoln streets which
Ellet & Lincoln have been laid out over their Land may be accepted.

Streets

Referred to the Committee on streets.

Davis

Petition of Joseph F. Davis

William E. Otis praying that the amount of money which 355.
they paid to the City Treasurer for the privilege of cut-
ting their drain into the common sewer in North Margin
Street, may be refunded to them. Referred to the Committ-
ee on drains & sewers.

Petition of Hancock Light Infantry, for a room in the Old Court house, for the purpose of drilling. Referred to the Committee on public buildings with full powers.

Petition of James Barnes, Barnes.
to be remunerated for the damage which he sustained in
consequence of the raising Short street, now called Kings-
ton street. Referred to the Committee on paving.

Communication from Capt. Jas. Sturgis
John Sturgis, Commander of the Revenue Cutter respect-
ing a Lighter which is sunk in the Channel between
Spectacle & Thompson Island. Referred to Aldermen
Wetmore, Quincy & James Harris.

Ordered, that there be Gray,
paid to John Gray, the sum of thirty five hundred & forty Portland
six dollars, & sixty six cents, as awarded to him by referees, in full
for damages sustained by him, by the taking of
six hundred & seven feet of land from his estate to widen
Portland Street, & damage done to the buildings, on
his giving a sufficient deed of the same, & releasing the
City from all further damages, & removing obstructions
from the street, as now laid out.

356.
Pine Street.

Ordered, that an obstruction be removed from Pine Street, which leads from Washington Street to Front Street, & that said street be filled up and graded, & made seven feet wide, as it was established by the Board of Aldermen of Boston, May 31st 1802. & projected by a plan of the same taken by S. P. Fuller, dated October 1839. & that the Committee on streets be authorized to carry the above into effect.

Lamps
South Boston.

The Committee on Lamps, to whom was referred the petition of sundry inhabitants of South Boston, residing between Heaves Place Church & the intersection of Broadway & the Old Road, whose lamps lighted, have visited the premises, considered the expediency of complying with the request, & recommend the passage of the following order. For the Committee: Nathan Jernsey. Ordered, That the Superintendent of Lamps be, & he is hereby instructed to remove three oil lamps with their fixtures from some street where the lighting with oil has been superseded by that of gas, & that they be erected by said Superintendent in such situations between Heaves Place Church & the intersection of Broadway & the Old Road, as the Committee on Lamps may designate, & that the same be lighted as other lamps of the City are lighted.

Engine No. 8

Communication of the Engineers of the Fire Department, respecting the insubordination of Engine Company No. 8, as contained in their quarterly return. Read & referred to the Committee on the Fire.

department. Adjourned to Wednesday next. Under 357.
O'clock M.

(A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Wednesday, the thirtieth day of November, A. D. 1839.

Present.

The Mayor, & the whole board of Aldermen.

The returns of votes from votes. the several wards not being all in. Ordered, that notice be given to the Clerks of Wards No. 3, 9 & 11, that this board are now in session, & that they be requested to transmit a transcript of the record of the ballots given in, in their several wards, at the election on Monday last, according to law.

Adjourned to half past three O'clock, p.m.

(Afternoon.

Met according to adjournment.

The returns of votes from all votes. the wards being made, the board adjourned to twelve O'clock tomorrow noon.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Thursday, the fourteenth day of November, A. 1839.

Present.

The Mayor, & the whole board of Aldermen.

Totals
returns
examined.

The board proceeded to examine the returns of votes from the several wards given in on Monday last, viz for members of Congress, for district number one; Governor; Lieutenant Governor; six Senators; & fifty six Representatives & found them as recorded in the book kept for that purpose.

Representatives
notices to.

Ordered, that the several certificates of the election of those persons who have been voted for & elected be made out, & returned agreeably to law, & notices be made & directed to the forty four persons elected Representatives to be delivered to each of them by a Constable.

Warrants
for Ward
Meetings.

Ordered, that warrants be issued for a second meeting of the legal voters of the City, in their several wards, on the twenty fifth day of November instant, being the fourth Monday of said month, at twelve O'Clock, A. M. to give in their ballots for twelve Representatives, to complete the number determined by the City Council, as expedient to represent the City, in the next General Court. The poll to be kept open until five o'clock p. m.

Adjourned to Twelve O'Clock.

to meet noon, for the purpose of signing the several 359.
returns.

Friday, November fourteenth 1839.
Met according to Adjournment.

The several returns were signed, Vets. returns
by the Mayor & Aldermen, & attested by the City Clerk, and Certificates
thereupon ordered, that they be sealed up & returned to the
Secretary's Office, that are required by law to be thus made.
Which was done accordingly.

Adjourned to Monday next.
Four O'Clock P.M.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall, on Mon-
day, the eighteenth day of November A.D. 1839.

Present.

The Mayor, & the whole board of Aldermen, except
Alderman Gurney.

The Committee of this board, Sturgis
to whom was referred a communication from Capt. Jos. Wick-
ah Sturgis, of the United States Revenue Service, re-
lating to the wreck of a vessel lying near Spectacles
Bluff, in said channel, reported as follows viz. That
the wreck referred to, is of a Ship thirty seven tons bur-
then, which was sunk in the month of September
last, laden with about forty tons of coarse gravel belong-
ing to Samuel Prince & Lyman Bruce, various attempts

360. have been made, by the owners of the vessel, to weigh & remove her, but without success & they have now abandoned her. From a Report made by Capt. Strickbury & others, who were requested by the Committee to make a survey of the wreck, it appears, that it lies in eighteen feet of water & four feet of water above her counter, at low water, the house on Spectacle Island bearing N. E. $\frac{1}{2}$ E. a little more than 43° the distance from Thompson's Island to Spectacle Island, heading N. by E. In the opinion of your Committee, a most important obstruction has been thus created, in the back channel, dangerous to the navigation of the harbour, & especially to vessels, beating out or in & to those bound to or from Hingham, Weymouth &c. The wreck lies on her back, with the mast & bowsprit gone, & the deck broken up, & according to the statement of the Pilot & others, there is so little under tow or current there, that there is little probability of its being drifted & carried away by the natural force of the sea, & if it is suffered to remain, there will probably be an accumulation of sand &c. around it, which may permanently injure a very important channel of the harbour. It is within the province of the general government, at Washington, to remove similar obstructions to navigation, & if application were made it would probably be attended to. Your Committee, however, do not deem it expedient to wait for this, if so late a season of the year, but recommend that the City government forthwith cause it to be seen & look to the general Government hereafter for reimbursement of the expense, and

They recommend the adoption of the following Order by both 361.
branches of the City Council. Respectfully submitted
to the Committee. The Wilmers. Ordered, that
the Surveyors of Highways cause to be removed, as soon
as possible, the wreck of a vessel now lying in the
back channel, between Spectacle & Thompson's Islands,
provided that the expense thereof shall not exceed three
hundred & fifty dollars; & that said expense be charged
to the appropriation for incidental expenses & miscell.
aneous claims. And the Mayor is requested to apply
to the Secretary of the Treasury of the United States
for a reimbursement of the said expense. Read, ac-
cepted & the order passed. Sent down for concurrence.
Came up concurred.

Petition of Fay & Farwell. Fay & Farwell.
for an abatement of taxes. Referred to Alderman Farr-
am, Wetmore & Hayward.

Petition of Benjamin Smith, Smith.
& others, to have Garden Court street widened. Referred to
the Committee on streets.

Accounts of the Superintendent - Allen passengers
dent of Allen passengers. Referred to the Committee on accounts. Supr. account.

Ordered, that the Company National
of National Laurels be allowed the use of the western end of Laurels
the Hall over Faneuil Hall Market, as far as the first brick
partition wall, for an armory, provided that such use shall
not interfere with the exhibitions of the Mechanic Association,
& that they shall be removable at the pleasure of the Board of Ord.

362. *Comm.*

Jackson
Ellet & Lincoln
Streets.

The Committee on Streets to whom was referred the petition of Francis Jackson, agent for the South Cove Corporation, praying that Ellet Street & Lincoln Street, so far as they extend over the land belonging to said South Cove Corporation be accepted as a public highway. Have examined said streets, considered the subject & ask leave to report. That it is the decided opinion of the Committee that these streets, bottomed as they are upon marsh mud, have not at present found their level. They will probably continue to settle for two years to come. The Committee therefore can see no reason why the City should be at extra expense in filling up these streets which have been laid out for private benefit. They are therefore entirely opposed to accepting said Streets & request to be discharged from the further consideration of the subject. For the Committee. Henry Farman. Read & Accepted.

Waucock
Guards.

On the petition of the Waucock guards the Committee on public buildings reported, that they have agreed with the officers of said Company, that they may have the use of said room in the upper story of the west wing of the Old Court House, during the ensuing winter. Read & Accepted.

Common
sewers.

The Superintendent of drains & sewers reported an estimate of the cost of repairing & extending the common sewer in Ann Street, near Mechanic Street. Read & Accepted. & thereupon Ordered, that said Superintendent make out the several bills & lodge them with the City Treasurer for collection.

The Committee on the petition 363.

of Ann Leary, to have a common sewer laid in S. Street. Seavary reported, that a barrel drain twenty inches in diameter, S. Street, some hundred & twenty six feet long has been laid. Pursuant to the order. Read & Accepted.

The City Treasurer, Mortgage & Auditor of Accounts. Having certified that a bond of J. A. discharge. by Allen, by which he became obligated to pay the City of Boston, fifteen hundred & seventy five dollars the payment of which was secured by mortgage recorded with Suffolk deeds. Lib 394. fol. 254. has been fully paid. both principal & interest. Thereupon ordered, That the Mayor be requested to discharge the same on the record.

The City Clerk, made a Quarterly report of the moneys received by him, in his said capacity the last quarter ending the thirty first ultimo. City Clerk. & paid into the Treasury. Read & Sent down.

The Committee on the Engine fire department who were instructed to inquire into the condition of Engine Company No. 5, in consequence of representations made with the quarterly return, reported as follows. viz. That they have ascertained that a spirit of discontent & insubordination has manifested itself, even when the department has been on duty at fires. They have taken pains to discover who are the persons that have manifested a disposition injurious to the interests of the department. & have satisfied

364 themselves that the names which follow ought to be stricken from the roll of the company, viz: Charles Parker, Micajah Per. Henry F. Ottignon. Richard L. Martin. J. W. J. Hills. Nathaniel Weaver Jr. William Carver. Thomas Carver. & E. L. Bird. The evidence on which the Committee have formed this opinion is derived from the officers, & a majority of the company, & some of the engineers. Under these circumstances the Committee have no hesitation in recommending the passage of the following order. For the Committee. Saml. A. Eliot. Ordered. That Charles Parker, Micajah Per. Henry F. Ottignon. Richard L. Martin. J. W. J. Hills. Nathaniel Weaver Jr. William Carver. Thomas Carver & E. L. Bird be discharged from Engine Company No. 5. Read & accepted.

Adjourned to Monday
next four o'clock p.m.

At a Special Meeting of the 365.

Board of Aldermen of the City of Boston, held at City Hall, on Friday the twenty, second day, of November 1839.

Present.

The Mayor, Aldermen Wetmore, Gurney, Quincy & Isaac Harris.

Ordered, That Aldermen Sturgis, Wetmore, Quincy & James Harris, be a Committee wreck, to contract with some person for the removal of the wreck of a vessel from the back channel, between Spectacle & Thompson's Islands.

Order of the Common Council Appropriation.
referring the report of the committee on laying out & widening streets, stating, that the appropriation for these purposes has been expended, & requesting an additional appropriation; together with the Auditor's statement. to the Committee of finance. Came up for concurrence.
Read & concurred.

8 o'clock p.m.

Journals. Monday, next fore

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the twenty fifth day of September A.D. 1839.

Present:-

The Mayor, & the whole board of Aldermen, except Alderman Gurney.

Parker.

Application of Samuel W. Parker, to be licensed to exhibit at no. thirty nine Merchants Row, a musical & mechanical exhibition. Referred to the Committee on licenses.

Manning & Glover.

Petition of Manning & Glover, to have four burners constructed at the expense of the City in their store under Faneuil Hall, in consideration that the gas metre for lighting said Hall is in their premises. Referred to the Committee on Public Buildings.

Smith

Garden Court Street

The Committee on the petition of Benjamin Smith, & others, to have Garden Court Street widened, reported, that the petitioners have leave to withdraw their petition. Read & Accepted.

Ritchie

Ordered, that there be paid to James Ritchie, the sum of three hundred & twenty five dollars, in full for one hundred & sixty two feet of land taken from his estate to widen Salem Street, on his giving a sufficient bond of the same, & releasing the City from all further claims.

Small sup.

Three several communi-

callings from Dr. Smith, President Physician of Marine 314
ford Island. & The Overseers of the poor, & William Perkins
& others, stating that the small pox exists in various parts
of the City, & praying that some measures may be taken,
for the safety of the City. Read & referred to Aldermen With-
ore, Haywards & Curney, with full power to take such
order in the premises as may by them be deemed exped-
ient & practicable.

Adjourned to Monday 11

O'clock to morrow noon

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall, on
Tuesday, the twenty sixth day of November, 1857.
Present

The Mayor, & the whole board of Aldermen.

The returns of the small pox
being all returned the board adjourned to Monday 11
O'clock to morrow noon.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Wednesday, the twenty seventh day of November, A. D. 1839.

Present

The Mayor, & the whole Board of Aldermen.

Representatives

The Board proceeded to examine

the returns of votes, given in the several wards, on Monday last, for twelve Representatives, to represent the City in the next General Court, to complete the sum fifty six, that being the number agreed upon by the City Council. And they found them as recorded in the book kept for that purpose, & that twelve persons as therein named had a majority of votes & were chosen. A certificate was made out & signed by the Mayor & Aldermen, and attested by the City Clerk, & ordered that the same be returned, & that notices be made out & directed to the several persons so chosen to be delivered to each of them by any officer, according to law.

Garling.

The Committee on the application of Samuel Garling, Junr: for a loan from the Franklin Fund reported, that the business was approved, & that the loan be made accordingly. Read & Accepted.

Warrants for
ward meetings.

Ordered, that warrants be issued for a meeting of the Inhabitants in their several wards on Monday, the ninth day of December next, at Eleven O'Clock, A. M. then & there to give in their ballots for warden, clerk, five inspectors of elections, two

members of the select committee; one Overseer of the poor; 369.
four members of the Common Council, all of whom to be In-
habitants of the City, & resident in their respective wards.
Also for Mayor, & eight Aldermen, all of whom to be
Inhabitants of the City. The Court to be kept open until
four o'clock p.m.

The Auditor of accounts ma- Auditors
de a report of the moneys received by him the last quar- Quarterly
ter, ending on the thirty first ultimo. & paid into the City return.
Treasury. Read & sent down.

(Adjourned to Monday next.

four o'clock p.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall, on
Monday the second day of December, A. D. 1839.
Present.

The Mayor, & the whole board of Aldermen, except Ald-
erman Quincy.

The Committee to whom was referred the petition of Fay & Farwell, praying to have said
their tax abated, reported as follows, viz. That it appears
by investigation that said Fay & Farwell have been
by a mistake of the assessors over taxed. The valuation
of their stock in trade within the City of Boston was
estimated at about double its real value. But that
said Fay & Farwell neglected to avail themselves of
the protecting clause in the law which was intended-

370. ed to protect the inhabitants of Cities & Towns against
oppression by taxes by compelling to render a valuation of
their property to the assessors within the time allowed by
law. They were led to believe that their being nonresidents
of the City of Boston would be sufficient to protect them ag-
ainst a clause in the statute which says that all persons,
not confining the expression to Inhabitant, shall ren-
der a valuation &c. The opinion of the City Solicitor up-
on this point which accompanies & forms a part of this
report, was followed by the committee. It will be seen that
his opinion is, that these gentlemen have not conformed
to the law in such manner as to authorize an appeal from
the assessors to this board as County Commissioners. But
that this case may very properly be considered by the as-
sessor & the over tax be abated by them. This board having
no jurisdiction over the matter. The Committee report that
said petitioners have leave to withdraw, all which is res-
pectfully submitted. For the Committee, Henry Tarnane.
Read & Accepted.

Syman.

The joint Committee on accounts,
to whom was referred the petition of Theodore Syman Esq.,
Executor of the last will & testament of Theodore Syman,
Esq. deceased, praying that the amount of certain taxes
paid to the Treasurer of the City, may be repaid, report,
as follows, viz. That it appears by the papers accompa-
nying this petition, that in 1832 & 1833, the late Theodore
Syman, Esq. claimed to be an inhabitant of the City of
Boston, was accordingly assessed & voluntarily paid
the taxes upon his real & personal estate for the years ab-

37.
are named, to the Treasurer of said City, amounting to Three
Thousand five Hundred & eight dollars. It further appears that
The Town of Waltham, adopted his bill & personal estate for
the same years, which he likewise paid. As some of the parties
involved in this case might require a legal investigation
it was deemed expedient to take the advice of the
City Solicitor, & his opinion upon the subject, we beg
leave to submit as part of our report. The substance of
which is that the City is not legally liable to refund the
amount of said taxes or any part thereof. The Committee
entertaining similar views deem it inexpedient to
take any further action upon the subject, & ask to be dis-
charged. All which is respectfully submitted. For the
Committee Jas. W. Hayward. Read & not accepted, and
thereupon ordered, that the same be recommended to the
same Committee with instructions, to report an order for
the payment of the money petitioned for. Sent down for
concurrence. Came up concurred.

Ordered, That the Boston Printing
Daily Advertiser, & the Boston Courier, &c. & they are hereby, to be
authorized & appointed to publish the ordinances, orders, &c.
other advertisements of the City government; provided that
the annual charge for such publication shall not exceed
the sum of one Hundred & fifty dollars, for each of said papers.

The Committee to whom was referred the communication from Captain Josiah S. [unclear]
of the United States Revenue Service, relating to the [unclear]
wreck of a vessel lying near Spectacle Island, in [unclear]

372. channel, reported, that pursuant to the order of the City Council they contracted with Mr. Nichols, Senior, for the removal of the said wreck, & the same has been effected, & the obstruction thereby prevented. Read & accepted.

Small pox.

The Committee to whom were referred the communications from the Clergers of the Poor, the President, Physicians, & William Perkins, & others, relative to the prevalence of small pox, in the City, & who were authorized to procure proper accommodations for persons suffering under that disease, reported as follows, viz. That cases of the small pox have occurred in different parts of the city, but to what extent is not known. (They have not however, probably, exceeded seventy in number) some of which have terminated fatally. That the disease does not seem to be increasing, but may continue in a few isolated cases during the winter. The Committee do not believe that any peculiar alarm exists in the subject now, indeed it is, if possible it should, in a City where vaccination has been resorted to, so generally as in this. And they trust that the City government will not, by the establishment of Hospitals & Sick houses, create an excitement which would be as irrational & unfounded, in relation to this disease, as it would to many other contagious diseases, which are now left to the ordinary care of the Physician. common humanity however, as well as the law of the land require that those who from poverty, are unable to procure the necessary medical attendance & comforts, while suffering under so tedious a disease, should

to be supplied with them at the public expense. There is at 313.
present no public building which can be used for this pur-
pose & the Committee were unable for some time & after
much research to find a suitable private one. The unso-
licited liberality of an individual has now however am-
ply supplied this want. Dr. George Parkman has kindly
offered to the City the gratuitous use of several of his houses,
so long as the necessity of the case may require it, and
the Committee have accordingly accepted two houses, which
will be ample for the purpose, on Jackson's Wharf, near Vine
street. The Committee recommend that these buildings
should be forthwith supplied, with necessary furniture,
& be placed under the entire control of the Overseers of the
poor, for the use of paupers afflicted with the small pox.
The amount now provided of the appropriation for the
poor will not however be sufficient for this & other
claims upon it & it will be therefore necessary to apply
to the reserved fund for this purpose, & they, offer the
following, order. For the Committee. Tho. Wetmore.
Ordered, That the Overseers of the Poor be requested to sup-
ply so far as it may be necessary, with proper Hospital
furniture, two buildings, loaned to the City by Dr. George
Parkman & to use the said buildings as a Hospital
for paupers afflicted with the Small pox. Provided
however that the expense of said furniture shall not
exceed one thousand dollars, & that the same be char-
ged to the appropriation for a reserved fund. Read
Accepted & the order signed. Put down for concur-
rence. Came up concurred.

374.
Hospital
for Insane.

The Committee of both boards, who have had charge of the erection of the Hospital for the Insane at St. Boston, ask leave respectfully to state to the Council that the building is now nearly ready for occupation, & that it has been thus nearly completed within the limits of the original appropriation, notwithstanding that by an alteration of the plans, another story has been added to the centre of the building, occupied by the families of the Superintendent & Steward. The Committee had the utmost confidence that the first appropriation would have been sufficient for every purpose, & nothing but a disappointment in the quality of the water they have obtained by digging on the premises has caused them to lose that confidence, & with extreme reluctance to apply to the Council for a small additional appropriation. The new water, unlike that of the adjoining houses, is hard and totally unfit for washing, so that it seems to the Committee that cisterns of sufficient size to supply each wing with an abundance of this necessary article are indispensable. These would probably cost from four to five hundred dollars. It has also seemed to the Committee very important that the fuel for the use of the establishment should be protected from the weather, & a suitable place provided for the offal which must unavoidably be accumulated, one or two hundred dollars more probably be necessary for this object, & the Committee have thought it would be expedient to appropriate one thousand dollars to the com-

plation of this important edifice, which they cannot but 375.
flatter themselves will be considered at all times an honor
to the City both for its philanthropic object, & the skill
& thoroughness of its improved construction. They there-
fore recommend the adoption of the following order, 'For
the Committee. Saml. A. Eliot. Ordered. That there be
withdrawn, from the reserved fund the sum of one thou-
sand dollars, & that the same be added to the appropri-
ation for the erection of a Hospital for the Insane
& idiots in the Houses of Correction & Industry. Read.
Accepted & the order passed. Sent (Cm) for concurrence.
Came up concurred.

Benjamin Shepherd, James C. Scrimmer,
Chesley, & Jonas W. Clark, licensed to sell second hand art- some have
icles agreeably to the report of Committee on their petition. articles.

The Committee on the petition of Samuel W. Parker, for a license to exhibit, at No. 39
Merchants row, a musical & mechanical exhibition.
reported, that a license be granted.

The Committee on Burial Grounds & Cemeteries ask leave to report to the Mayor & Aldermen the condition of said grounds which are
under their particular charge & direction together
with a brief history of the doings of the Committee dur-
ing the current year. First It has been the policy of
the Mayor & Aldermen for a number of years past to
erect, from eight to ten tombs per annum upon the

margin of the South burial ground. The current year your Committee have erected nineteen which completes the whole number required to enclose the whole ground. The City now own in said ground eighty six tombs, forty of which are for sale & forty six are reserved for the burial of the poor & those persons who have no place to bury their friends, but who are able & willing to pay for the use of a tomb for that purpose. This class of tombs produced the last year \$313. This burial ground being now closed & the margin completed by the display of splendid tombs it only requires to have the lower part of it covered with trees & shrubs, similar to the front part, to be one of the most splendid cemeteries within the State of Massachusetts. There cannot be a doubt but that the tombs owned by the City which are not wanted as aforesaid will now readily sell, particularly as they are offered for the moderate price of two hundred & twenty dollars each which will amount to eight thousand eight hundred dollars. It would likewise be ungrateful in the Committee if they did not acknowledge that the superintendent of burial grounds has displayed great taste & fidelity in the management of this ground. Second. The Coffin Hill ground. It has been discovered that it was impossible to preserve the trees & shrubs within this ground so long as it was kept open as a thoroughfare. That ground has been closed the current year & about one hundred & forty trees transplanted into it, which are now in a thriving condition, & will add much to the pleasant appearance of that elevated

377.

Cemetery. Third. The Chapel burial ground has not required any particular attention of the Committee the current year. Fourth. The Granary burial ground has required much of the attention of your Committee. The City Council passed an order authorizing the Committee to spend twenty five hundred dollars in erecting a handsome iron fence in front of said ground. Provided the same amount could be obtained by subscription. That sum was obtained & a contract has been made to finish said fence in the course of the month of August next at somewhat less cost than the sum appropriated. The pattern selected for this fence is acknowledged to be handsome & tasty by very good judges. Fifth. The Central ground. The City Council appropriated the past year three thousand dollars extra for the Common & Mass. The object of which was to erect a handsome iron fence around said ground in lieu of the dilapidated old brick wall that surrounded it. Provided however that a sufficient sum could be obtained by subscription to complete it. The sum of eighteen hundred & sixty dollars was obtained & a handsome iron fence with a suitable granite base has been erected. The Committee are happy to add that said fence is approved & admired by the public generally. The Central ground being enclosed within this fence that surrounds the Boston Common (the pride of Bostonians). It is highly proper that it should now be adorned with trees & shrubs in ora-

378. or that it may comport with that splendid park. The
cost of building & repairing a part of said tombs and the
amount received for deposits is as follows.

Cost of Building & repairing.		Receipts for Deposits	
Infants South District	800.	Infants South District	790.
" Chapel repairing	62.	Chapel ground	597
" North old tomb repairing	88.	North Old tomb	348
" " new one built	300.	" New tomb	244.
18 New Tombs South		New tombs for	
District including making		Adults South	
the banks		District	
	3060		2370
	\$4310		\$4349

The Committee therefore submit & recommend the pass-
age of the accompanying orders, all which is respect-
fully submitted. To the Committee. Henry Tarnam.
Ordered, That the Superintendent of Burial Grounds
be authorized the next spring to ornament the Central
Burial Ground with Trees & Shrubs provided the
expense of the same does not exceed the sum of one
hundred & twenty five Dollars. Read, accepted & the order passed.

Adjourned to Monday next, four o'clock, P. M.

Special meeting. Wednesday, December 4. 1839.

Present. The Mayor, Aldermen Tarnam, Wetmore, Gurney,
Howard & Harding.

Ordway & Jackson Remonstrance of Moses Ordway - and of Ward
Small, Fox, Bristol Jackson & others, against the establishment of a small pox hospital
at the westerly part of the City. Read and sent down.

Adjourned.

As a special meeting of the Board 379
and of Aldermen of the City of Boston, held at City
Hall, on Friday, the sixth day of December, A.D. 1839.
Present.

The Mayor, & the whole board of Aldermen, except Aldermen Quincy & Harris.

Order of the Common Council. Small pox
cil instructing the committee on public lands, to report Hospital,
sooner as practicable whether there are any
vacant lands belonging to the city suitable for a lo-
cation for a small pox Hospital, & what would be
the probable cost of a suitable building. Also that
said committee be instructed to ascertain, if any,
suitable building can be advantageously purchas-
ed for that purpose, & at what price. Came up
for concurrence. Read & concurred.

Adjourned to Monday next,
Four O'Clock p.m.

A meeting of the Board of Health of the City of Boston, held at City Hall, on Monday, the ninth day of December, A. D. 1839.

Present.

The Mayor, & the whole Board of Aldermen.

Common
sewer.

The Superintendent of drains & sewers made a report of the cost of constructing a common sewer in Hancock Street, & the assessment made upon the several persons interested. Read & accepted, & thereupon ordered, that said Superintendent make out the several bills & lodge them with the City Treasurer for collection.

Fuller.

Petition of Leonard Fuller to be indemnified for the loss of workmen who left his Iron foundry, in consequence of using buildings on Jackson's wharf for a small pox hospital. Referred to Aldermen Wetmore & Hayward with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part. Messrs. Grant, Stevens & M. C. Master.

Hutchinson,

Petition of Chandler Robbins in behalf of Mrs. Caroline Hutchinson, praying to be indemnified the cost & damage she sustained in moving from a house in Cross Street, adjoining one used for patients infected with the small pox. Read & referred to Aldermen Wetmore & Hayward with such as the Common Council may join, to consider & report. Sent down for

concurrence. Came up on motion, & the Common Council, 381.
joined on it, part. Messrs. Grant, Stevens, & McAllister.

The joint Committee of the Thacher
City Council to whom was referred a communication from Judge of
the Judge of the Municipal Court, relative to his salary, Municipal
have attended to the same & respectfully report. That it Court.
appears by said representation that the duties of Judge
Thacher have been somewhat increased by the act of
1834. Ch. 150. concerning the "State Lunatic Hosp-
ital" at Worcester, & also by the act of 1839. Ch. 131. est-
ablishing the "Boston Lunatic Hospital". & that this
has been done "without any provision made to compens-
ate him for his time & trouble" & it is submitted, that the
public will not expect, that these additional services, sh-
ould be rendered, without an adequate consideration. -
Your Committee do not pretend to determine whether
the salary of the Judge, (the same now being Two
Thousand dollars) is exactly commensurate with the
present duties of his office. They think however if it
be not so, the application for a larger one ought to be
made to the Legislature of the Commonwealth, &
not to the City Council. The Council never has in-
creased these duties. In fact the law of 1839 was not
passed in the form that the City Council proposed
it to the Legislature; the Council proposed that
the duties, in relation to the Boston Lunatic Hosp-
ital, should be performed by the Senior Councilman, in the
shape the bill passed the House, & it was afterwards

382. amended in the Senate, & the Municipal Court substituted. And with reference to the Statute of 1834 Ch. 150 relating to the Hospital at Worcester. Your Committee find that the salary of the judge, was raised a few days subsequent to the passage of that act, (1834 ch. 180) from seven hundred & fifty to twelve hundred & fifty dollars, & this may have been done, as a consideration for the additional duties now complained of. The Council are aware that new & arduous duties have been from time to time imposed upon every court of the Commonwealth, yet it does not appear that the salaries of the judges have been, for that account, increased in proportion; it probably having been supposed that the several incumbents took their office with the knowledge that additional services might be required of them. From these considerations your Committee therefore report that the Petitioner have leave to withdraw, for the Committee. The Writures. Read & accepted. Sent down for concurrence. Came up concurred.

Old Court
house.

Order of the Common Council appointing Messrs. Thayer, Stevens & Scudder, a committee with such as the board of Aldermen might join, to consider the expediency of making such alterations in the old County house as may be necessary to fit it for the use of the City Council, & such other City officers as now occupy the City Hall Building, & report an estimate of the expense of such alteration, as soon as practicable. Came up for concurrence. Read and

concurred, & the Committee on public buildings on the 383.
part of this board is joined.

The Committee on the 1st. Manning &
ition of Manning & Storer, reported, that the amount of floors.
of injury done to the premises of the petitioners by the
metre of which they complain & find it so small as to
be altogether inappreciable. They therefore recom-
mend that the petitioners have leave to withdraw their
petition. Read & Accepted.

Petition of. Thos. Forbes, Secy.
for a room in the Smith School house for an evening
school for the people of colour. Referred to the Commit-
tee on public buildings, on the part of this board with
full powers.

The report of the Committee on the
the on the subject of taking land & buildings belong-
ing to the Marine Railway Corporation, was re-
ferred to the next board.

Thomas Starns, Junice. Auctioneer
counsel as auc. Auctioneer, & his bond approved. Licensed

The Committee on public Small pox
lands who were instructed to report as soon as possible when Hospital.
or there is any vacant land belonging to the City suitable for
a location for a small pox hospital, & what would be
the probable cost of a suitable building, also to ascer-
tain if any suitable building can be purchased
for that purpose, & at what price, reported as fol-
lows, viz. That they have examined most of the

334. vacant land belonging to the City where there seemed to be a probability of finding a suitable location, & although objections would be likely to be made against any situation for such an establishment, nevertheless public safety & convenience require that an institution as contemplated in the order should be provided at the present time. The Committee have been led to designate a lot on the southerly side of Northampton Street which appeared to them to combine more advantages & liable to fewer objections than any others that they examined. being about six hundred feet west of the Tremont road & about an equal distance from the Providence rail road, & sufficiently remote from any other buildings. At all times easy of access & on land that probably will not come into the market for settlement for many years. The Committee are of opinion that it would be advisable to appropriate ten thousand feet of land for this object & that a convenient modern building be erected conforming to the plans & specifications accompanying this report & at a cost not exceeding five thousand dollars exclusive of the land. In regard to that part of the order instructing the Committee to ascertain if any suitable building can be purchased for the purpose aforesaid, they have only to remark that in their opinion no suitable building could be purchased for that purpose at the present time for double its value. The Committee recommend the passage of the following order, all which is respectfully submitted. In the Committee, Nathan Surney, Ordered, That Aldermen Surney & Huntington be as

Committee of this board, with such as the Common Council may 385.
join with full powers to erect a wooden building conform-
ing to the plans & specifications accompanying this order,
on a lot of land belonging to the City containing ten thousand
and square feet, situated on the easterly side of the
Hampden street, between the Shawmut road & the Providence
railroad, at an expense not exceeding five thousand
dollars, & that the Treasurer be authorized to borrow the
same under direction of the Committee on Finance. Upon
the question of accepting said report, & passing the order
the yeas & nays being required by a rule of the City
Council were taken as follows, vizt. Yeas, Aldermen Sur-
vey, Huntington & Isaac Harris. 3. Nays, Aldermen Far-
nham, Wetmore, Hayward, Quincy & Isaac Harris. The
said report was not accepted. Thereupon Ordered,
that the subject be recommitted to the same Committee,
with instructions to consider & report, if persons infected
with the small pox can be accommodated in any build-
ing belonging to the City at South Boston, & if not,
whether it be expedient to erect a suitable building
on the City's land at that place. Sent down for
concurrence. Came up concurred.

Adjourned to 12 o'clock

Tomorrow-morn!

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Tuesday, the tenth day of December D. 1889.

Present

The Mayor & the whole Board of Aldermen.

Votes
Mayor &
Aldermen.

The board proceeded to examine the returns of votes from the several wards & found them as recorded in the book kept for that purpose.

The whole number of votes for Mayor was 7469,
Necessary to a choice 3735.
Jonathan Chapman... had 4352.
and he has been duly elected Mayor of the City
for the year ensuing.

The whole number of votes for Aldermen was 7489.
Necessary to a choice 3745.
Nathan Gurney had 4604
Thomas Hurling " 3826.
Nathaniel P. Russell... " 4581.
Charles Wilkins " 3773.
Graham S. Leone..... " 4573
James Clark " 4508
William T. Andrews... " 3831.
Charles Smory " 4596.
and they have been elected Aldermen of the
City for the year ensuing.

Ordered, That the above
named gentlemen be notified of their election and that

The result be published according to law.

387.

Petition of James T. Lohman, Soakman
for liberty to lay a suction pipe across Pitts Street for
the purpose of taking water from a well in Pitts Street,
into his houses on the corner of South. Marguin & Pitts
streets. Referred to the Committee on paving with full
powers.

Adjourned to Monday next. four

O'clock p.m.

Met a meeting of the Board
of Aldermen of the City of Boston, held at City Hall, on
Monday, the sixteenth day of December, D. 1857.

Present.

The Mayor & the whole board of Aldermen, except
Alderman James Harris.

Order of the Common Council Unfinished
Council appointing Messrs. Wheeler, Ames & Shattuck, with
such as the Board of Aldermen might join, as committee,
to consider & report what unfinished business there is which
requires the action of the present City Council. Came up
for concurrence. Read & concurred, & Aldermen Wetmore
& Farnam were joined.

The Committee on the erection of Lunatic
& Hospital, for Lunatics & Idiots at North. Boston have
the pleasure to report to the City Council that the build-
ing designed for that purpose is now completed, and

388. ready for occupation. They therefore respectfully recommended the adoption of the following order. For the Committee, Sane, A. Eliot. Ordered, That the building recently erected on the public lands at South Boston, between the houses of Industry & Correction, be & the same is hereby established as the Boston Quantic Hospital. Report accepted, & the order passed in Common Council. Came up for concurrence. Read & concurred.

Syman.

The joint Committee on accounts to whom was recommended the petition of Theodore Syman, Esq. deceased, with instructions to report an order for the payment to Theodore Syman, Executor as of record, of the sums demanded, as mentioned in his petition, being the amount assessed on the personal estate & poor of the late Theodore Syman, Esq. deceased, for the years 1832 & 1833, amounting together to \$2508. offer for passage the following order. For the Committee, Jos. H. Hayward. Ordered, That there be paid to Theodore Syman, Esq. Executor Twenty five hundred & eight dollars, being the amount paid for taxes, into the City Treasury, by the late Theodore Syman, Esq. in the years 1832 & 1833. Read, accepted & the order passed. Sent down for concurrence. Came up concurred.

Small pox

The joint Committee on public lands who were instructed to consider & report if persons infected with small pox can be accommodated in any building belonging to the City, at South Boston, & if not whether it be expedient to erect a suitable build-

ding on the City's land at that place, reported as follows, viz. 389.
That they have visited the premises of the City at South Boston. That they have examined the building occupied by juvenile offenders & found in the easterly wing one hundred & one boys & the westerly wing, occupied at present by twelve girls, all the rooms except three are occupied to some extent by these inmates & their teachers & although it is obvious that the rooms they occupy would accommodate four times the present number, yet they cannot be wholly vacated unless some other building be provided in which to be discharged, because the three unoccupied rooms are so situated with the passage ways that the inmates will be continually coming in contact with each other. The Committee therefore believe it would not be judicious to appropriate any part of said building for the purpose mentioned in the order. One of the out buildings connected with the House of Industry, & occupied as a Store & Slaughter house was suggested to be a suitable place. But on examination its proximity to that Institution & continuity to other buildings in daily use, in the opinion of the Committee render it an unsafe location. In relation to the latter part of the order, viz. whether a convenient site can be selected on the vacant land of the City wherein to erect a suitable building for the purposes aforesaid. The Committee are of opinion that a building may be erected on a suitable location on the easterly line of the City's land about midway between fourth street on the Highway & the building of the House of Correction. This situation would be about seven hundred feet from

390. said House of Correction & about the same distance from the House of Reformation, & more remote from any other building, travelled street or passage way. In view of these facts & the present situation of the City the Committee submit & recommend the passage of the following order.
For the Committee. Nathan Gurney. Ordered, That Aldermen Gurney & Hunting, be a Committee on the part of this Board with such as the Common Council may join with full power to stake out a lot containing three thousand square feet of the vacant land belonging to the City at South Boston, on the easterly line of said premises about equidistant northerly & southerly between the building occupied as the House of Correction & Fourth Street, & that the same be appropriated as a location for a small pox Hospital for paupers & also that said Committee be instructed to erect a convenient wooden building on said site conforming to the plans & specifications accompanying this order, at an expense not exceeding five thousand dollars, & that the Treasurer be authorized to borrow the same under the direction of the Committee on Finance. Read. Accepted, & the order passed. On passing the order, the yeas & nays being required by a rule of the City Council, were taken as follows, vizt. Yeas. Aldermen Turnam. Wetmore. Gurney. Hayward. Hunting. Quincy & Isaac Harris. Y. nays none. Sent down for concurrence. Laid on the table in Common Council.

Franklin fund

Trans^d acc^t

Ordered, That Alderman Gurney & Quincy, be a Committee to audit the

accounts of William Merritt, Esq. Treasurer of the Frank 391.
lin funds.

James L. Riddle & Dan. Auctioneer
ad. M. Intyre licensed as Auctioneers, & their bonds ap. license.
proved.

The Superintendent of drains, sewers
& sewers, reported the cost of constructing a common sewer
on in A Street, South Boston, & the assessment upon A Street.
Those persons whose estates have been benefitted thereby.
Read & Accepted, & thereupon ordered, that said super-
intendent make out the several bills & lodge them with
the City Treasurer for collection.

The Methodist Episcopal North. Epis. S.
pac Society at South Boston, give notice of their Dr Silver St.
intention to build a Church on D & Silver streets.
Referred to the Committee on streets.

The Committee on the pet. Mechanic
ition of the Mechanic Association for the use of the Association.
Held over Faneuil Hall Market to hold a fair.
reported that leave was granted, & the Association
held their fair there in September last. Read &
Accepted.

The Committee on lamps. Lamps
reported the following order. viz. Ordered, that the
Superintendent of lamps cause three oil lamps with
iron fixtures to be removed from some street where
gas has been substituted for oil & place the same
on such buildings on Causeway Street, between Cu.

392. dicott & Maverhill streets, as he may consider will best promote public convenience. Read, Accepted and the order passed.

Brintman
Primary
School.

The Committee on the petition of Charles Brintman, & others, to have a new primary school house provided in East Boston, reported as follows: viz. That previous to the receipt of the within petition, the money appropriated for the erection of primary schools, this year was all spent, in conformity with votes of the council & recommendations of the primary school board. They therefore recommend that this petition be referred to the next board of Aldermen, for the Committee. Saml. A. Eliot. Read. Accepted.

Greenwood
Portland
Street.

Ordered, that there be paid to William L. Greenwood, the sum of four hundred & twenty three dollars, in full for two hundred, eleven & a half feet of land, taken from his estate to widen Portland street, on his giving a sufficient deed of the same & releasing the City from all damages.

Bell
Salem street.

Ordered, that there be paid to William D. Bell, the sum of nine hundred, thirty six dollars & ninety four cents, in full for one hundred & ninety seven feet of land taken from his estate to widen Salem street, & the damage done to the dwelling house, on his giving a sufficient deed of the same and releasing the City from all damages.

whom was referred the petition of William Gardner ^{Gardner} requesting payment for land taken from his estate in ^{Castle street.} the year 1834 to widen Castle street, reported as follows, viz. That it appears that one thousand nine hundred seventy three & one third feet of land was taken from said Gardner's estate to widen the westerly part of Castle street, & that he demands fifty cents per foot for the same and interest, on that amount from the time of the taking, which amounts to the sum of one thousand nine hundred & twenty two ⁵⁰/₁₀₀ dollars. This demand however is coupled with an offer to relinquish all demands against the City for land required to carry through three streets leading from Dover to Castle street which is drawn and plan by E. P. Shaver dated July 11th 1831 excepting, where the land of J. Dennison interferes with said streets. These three streets your Committee believe to be more for private benefit than public improvement, much discussion has been had with the owners of the land through which, these three streets extend with a view to accomplish this desirable object. Said owners however will not consent to bear any part of the expense of this operation. Your Committee are fully satisfied that the City ought not to pay over sixteen hundred dollars for the widening of Castle street & the extension of the other three streets, & being unable to make any satisfactory arrangement with parties connected with this improvement your Committee respectfully ask to be discharged. To the Committee, Henry Tarnam. Voted & accepted.

394.

Remonstrance of Joseph Rome,
Rome in behalf of owners of estate on Williams' Court, prot.
Williams' estate against, having the common sewer from Co-
Court-urt square carried thro' said Court. Read & filed.

Secy. of Treasury
Letter.

Letter from the Secretary of the
Treasury of the United States in answer to that of the
Mayor's requesting payment from the United States
for the cost of raising the wreck of a vessel from the
chaunce near Spectacle Island. Read & filed.

Medical
Society.

The Committee of the Med-
ical Society, appointed, to report if the Law passed by
the Legislature respecting the existing law be expedient.
Read & filed.

Olis
Chestnut street.

Memorial of H. E. Otis, res-
pecting that part of Chestnut street west of Charles
street. was referred to the next board.

four o'Clock p.m.

Adjourned to Monday next.

375

At a special meeting of the
Board of Aldermen of the City of Boston, held at City
Hall, on Saturday, the twenty first day of December
A 1839. Present.

The Mayor, Aldermen Gurney, Hayward, Quincy, James
Morris & Isaac Harris.

Finance

The Committee on Finance to whom was referred the report of the Committee on laying out streets, & widening streets, with the accompanying documents, have attended to the business, & ask leave to state to the Council that it appears that the whole amount of money paid during the present financial year for widening streets is sixty one thousand dollars of which about ten thousands dollars were raised by sundry subscriptions of persons interested in some of the improvements, & by the sale of materials taken from the land thrown into the street. Of the fifty one thousand dollars remaining, the sum of forty one thousand four hundred & eighty four has been paid on orders passed by previous boards, or on orders passed by the present Board of Aldermen, but which were rendered necessary by the action of former boards. This sum is made up of the following items, viz.

Streets around the Court House	\$ 18,708.75
Beacon & Friend streets (for the former & latter estate)	10,773.35
Broad Street (Foster's & Stetson's Estate)	4,696.75
Cosper Street	2,535.91
North Square & Garden Court Street	1,277.12
North Market Street	1,000.00
Hanover Street	649.58

396. Snow Hill street	568.09
Summer street	539.13
Chardon street	452.81
Pearl street	130.00
Commercial & Prince street	94.91
	<u>841.480.09</u>

It thus appears that only about Ten thousand dollars have been paid by the City in consequence of the widening of streets during the present financial year; but the City is now liable to be called on to pay the following sums under judgements of Court, & awards of referees, or by agreement with the parties viz. on judgements, in favor of owners of estates on Beach Street \$7,500 on awards of referees in favor of

proprietors of estates on Friend Street \$1,600

do do " Portland St. 8,061 9,661

By agreement with proprietors of estates on Salem street \$4512

" Bromfield do 496 5,008

The City is also liable for the following probable amount of damages in cases which are not yet settled viz.

For widening Broad Street 914

" " Richmond Street 3,881

" " Fulton Street 1,500

" " around Court House 312
\$28,778.00
 \$10,000

Making the total expense which has been incurred the present year } \$38,778.00
 Thirty eight thousand seven hundred & seventy eight

Collars. Besides the \$28,778 for which the City is liable as **397**
above. There is an item of \$5,885 (one for widening Hau-
over Street at the corner of Friend Street, which was done
last year, making all the liabilities of the City which can
be claimed during the present financial year \$35,663.
The greater portion of which is now due to persons anx-
iously awaiting payment. It will be perceived that the
addition to the appropriation necessary to cover the
entire liability of the City during this year, is about
six thousand dollars less than the sum which has been
paid, the current year, on old outstanding claims.
The Committee recommend the adoption of the following
order. For the Committee, Chas. A. Eliot. Ordered,
That the sum of thirty six thousand dollars be, and
the same is hereby appropriated for the purposes of
defraying expenses heretofore incurred for laying out
& widening streets, & that the City Treasurer be, &
he is hereby authorized to borrow, under direction of
the Committee of Finance, a sum not exceeding thirty
six thousand dollars, to meet this appropriation. Pass-
ed in Common Council. Came up for concurrence,
over the question of concurrence & passing the order.
The yeas & nays being required by a rule of the City Coun-
cil were taken as follows, viz. Yeas. The Mayor, W.
Adams Gurney, Hayward, Quincy, James Harris
& Isaac Harris, b. nays none. So the same passed
in concurrence with the Common Council.

Petition of the Infants of the ...

398.

any of Highland Fuaras for a room in the old Court House,
for the ensuing season for an Armory. Read & referred to
the Committee on public buildings with full power.

Births
Deaths &
Marriages.

The joint Committee appointed
to consider whether any alterations are necessary in our
system of Registering Births, Deaths & marriages, re-
ported, that the same be referred to the next City Coun-
cil. Read & accepted. Sent down for concurrence.
Came up concurred.

Franklin
Fund.
Treasurer's
acct.

The Committee to whom was
referred the communication of William Minot, Treasurer
of the "Franklin Fund" to have his accounts audited,
reported, as follows, viz. That they examined & certified in
duplicate said Treasurer's accounts to the 28th of Decem-
ber, 1839. Estimated value of the bonds in the hands
of the Treasurers. } \$1846.35

Deposited in the Massachusetts Hospital,
Life Insurance Office Dec. 31. 1839. \$25,369.04

Interest to Dec. 31 1839. $\frac{1,392.06}{26,761.10}$
Deduct a balance due the Treasurer $\frac{28,547.15}{1,055.46}$

Total amount of fund Dec. 31 1839. \$28,441.99

Nathan Gurney, Samuel Quincy, Committee.
Read & accepted.

Adjourned to Monday next.

four o'clock p.m.

399.

At a meeting of the Board of
Aldermen of the City of Boston, held at City Hall, on Mon-
day, the twenty third day of December, A.D. 1839.

Present.

The Mayor, & the whole Board of Aldermen.

Order of the Common Council. Street
cil, directing the City Clerk, on making record of any Lane Sand-
taken for the use of the City, for any new street, or for work taken for
ding or widening any street, lane or alley, to file with the
auditor a concise account of the same, with the agreed or
estimated damages therefor, which it shall be the duty of
the auditor to record in a book to be kept by him for that
purpose, in which he shall cancel it when such dam-
ages shall have been paid, & that he shall forthwith
lay the same before the City Council, to come up for
concurrence. Read & referred to the Committee on Streets.

The Joint Committee of the Newtonian
City Council, to whom were referred the petitions of Caroline Fuller,
Watchinson & Leonard Fuller, have attended to the same
& ask leave to report. That the said petitions present cla-
ims for damages occasioned by the City having made
use of certain buildings, in Cross Street & near Vine
Street, as receptacles for persons afflicted with the
small pox: The petitioner, first named estimating his
damages at eighty dollars, & the latter considering his
as amounting to about five hundred dollars. The
Council are aware that the buildings above named

have been almost as matter of necessity accepted with the consent of their owners, as temporary Hospitals for persons who, from their poverty, are unable to provide for themselves, any place of refuge or any necessary comforts, while sick with the small pox. - The Committee are willing to admit that in consequence of doing this, a damage & pecuniary loss may have been occasioned not only to the petitioners but also, though perhaps not to so great an extent, to all persons living, or having estates, in the neighborhood. And most if not all these cases. However, the damage seems to have been the result of fears & apprehensions in relation to this complaint, which are not justified by any correct knowledge on the subject. Mr. Fuller complains that, immediately on the establishment of the Hospital on Jackson's wharf, many of his workmen left him & could not be induced to return, and Mrs. Hutchinson states that her boarders left her, on the establishment of that in Cross street, which joined her house. The Committee, however, while they believe that all these persons, if vaccinated were in no danger from this disease (& if not they were guilty of a very criminal neglect) cannot deem their leaving their dwellings for the reasons assigned as either rational or call for; & that any loss thereby occasioned, to any one, is not to be considered such a necessary consequence of the acts of the City as would justify a claim for damages. Were this disease armed with all the terrors, which it justly had, a half a century ago, before vaccination was known, & when the establishment of a Hos-

fatal carried with it, as a necessary consequence an im- 401.
mediate danger & almost certainty of infection to every
one in its vicinity. The case might be different from the pres-
ent & a fair claim for damages made out. The Commit-
tee are of opinion that the City is liable in damages for
all acts of its authorized agents, the necessary & immedi-
ate consequence of which is an injury to any one, but,
not that it can be held to make reparation for the res-
ults of fancy, caprice, or unfounded fears, & they therefore
report that the petitioners have no claim on the City
for a compensation for damages which have been the result
of a groundless alarm not the necessary consequence of
any doings of the City government. While thus reporting,
however against the claim of these petitioners, the Com-
mittee cannot help considering them, particularly Mrs.
Hutchinson, as deeply objects of sympathy & commiser-
ation. She has made out a case of so much & such peculiar
suffering that the Committee would have been most happy
to have found any thing, in her case, which in principle
would distinguish it from the other. They could not do it.
And their mere feelings of compassion alone are not a
sufficient warrant to them to recommend a use of the
public money for any object however deserving it
might be. They therefore report, that Mrs. Caroline Hut-
chinson & Leonard Fuller have leave to withdraw
their several petitions. For the Committee. Thos. Wilson.
Read & Accepted. But none for concurrence came
up enquired.

402.

Auctioneer
licensed.

Andrews
resigns

Charles Torrey & George F. Cook,

partners, licensed as Auctioneers & their bond approved.

Communication was received

from William T. Andrews, Esquire, resigning his office as Overseer of the House of Correction. Read and sent down.

Bap.

Petition of George Bap for

leave to transfer his lease of store in Faneuil Hall Building. Referred to the Committee on public Buildings with full power.

Second

hand articles.

Cyrus Will. licensed as a

dealer in second hand articles.

Freeman

Petition of William D. Freeman

praying, that the remainder of the reward of five hundred dollars, he paid him for information which led to the detection & conviction of two incendiaries. Referred to the Committee on the fire Department.

Barnes
Kingston
street.

The Committee on paving

& repairs of streets, to whom was referred the petition of James Barnes, to be remunerated for damage done to buildings in Kingston Street (late Short Street,) in consequence of raising said street, have attended to that duty, & recommend the adoption of the following order. In the Committee A. Quincy. Ordered, That the sum of three hundred dollars be paid to the heirs of the late John G. Plambeck, in full for damage to

Their buildings in Kingston street, caused by raising, 1103.
said street, on their releasing the City from all further
claims, & causing a good & sufficient plank sidewalk to
be laid in front of their wooden building, to the satisfac-
tion of the Mayor & Aldermen.

Ordered, that there be paid Pitman
to Thomas D. Pitman, the sum of two hundred seventy
nine dollars & forty one cents, in full for damages sustained
by him, by the taking a piece of land, from the Bradley
estate to widen Salem street, including a part of the
building that was cut off in the operation, & which was
occupied by him as a tenant, on his releasing the City
from all damages.

Ordered, that there be paid to Jones.
The heirs of Ephraim Jones, Occasional, the sum of ninety one
dollars & sixty seven cents for forty five & four sixths feet of
land taken into Portland street from beneath their sto-
ne steps, the same having been received at the expense of
the City, on their giving a sufficient deed of the same and
releasing the City from all damages.

Ordered, that there be paid Bancroft
to Jacob Bancroft, the sum of one hundred & twenty one
dollars & sixty seven cents, in full for forty five & 7/16 feet of
land taken from beneath his stone steps into Portland
street, the same having been received at the expense of
the City, including thirty dollars allowance for the incon-
venience the family was put to during the time three
workmen were employed on said steps, on his giving a

404. sufficient deed of the same & releasing the City from all damages.

Coverly.

Ordered, That there be paid to Edward Coverly, the sum of thirty one dollars, in full for damage sustained by him as a tenant by the receiving of certain stone steps to a house at the corner of Sudbury & Northland streets, on his releasing the City from all further damage.

Gas Co.

Ordered, That the Committee on lamps be authorized, with full power to renew the contract with the Boston Gas Company, for supplying the City with gas for lighting the streets, for a term not exceeding five years & at an expense not exceeding four tenths of a cent per foot.

Auditor's
Report.

The Auditor of Accounts made a report of the receipts & expenditures of the City during the last financial year, & the means & means to meet the expenditures of the present year. Read & thereupon ordered, that the Auditor of Accounts, be & he is hereby authorized to cause seven thousand five hundred copies of the annual report of the receipts & expenditures of the last financial year, & the estimates of the current year, together with a particular statement of property, to be printed & distributed for the information of the Inhabitants. Sent down for concurrence. Came up concurred.

Unfinished business

The joint Committee of the

City Council who were directed to consider & report what 405
unfinished business there is which requires the action of the
present City Council. We report that there is no business,
which requires such action. They further state that no
reports have been received from the Committees on the fol-
lowing subjects, viz: on the expediency of purchasing a piece
of land adjoining the House of Industry, on the petition of
Thomas Hurber to purchase land, on the petition of D. Her-
rie relative to Marble for the New City Hall, on the Memo-
rial of the Boston Aqueduct Corporation, on the memo-
rial of John Ashton relative to a lot of land on the neck,
on the appropriation of money to assist the British line
of Steam packets. From the Committee to whom was re-
committed the petition of Theodore Washburn & others
in relation to the law concerning wooden buildings.
Also, on the subject of an annual return by the
City Marshal of all buildings erected within the
City. The Committee on the part of the Common Coun-
cil not having been joined by the Board of Aldermen
& the order being laid on the table of the latter
board. All which is respectfully committed. For
the Committee. Th. Wetmore. Read & Accepted.
Sent down for concurrence. Came up concurred.

Adjourned to Monday next
four O'Clock, P.M.

1406.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the Thirtieth day of December - D. 1839.

Present.

The Mayor, & the whole Board of Aldermen.

State
Lunatic
Hospital.

The Committee on accounts to whom was referred the accounts of the State Lunatic Hospital have examined the same, & recommend that it be paid after deducting the charges to the following persons, viz^t. Betsey Collins, State pauper & Betsey Mansfield, Robert A. Blake, Nancy Bowers, William P. Hughes, Abigail Eaton, who the committee cannot find were sent from this City. Read and Accepted.

Utley.

Ordered, that there be paid to the heirs of Elijah Utley, the sum of eight hundred seven dollars & sixty eight cents in full for three hundred eighty one & a quarter feet of land taken from their estate to widen Portland Street, together with damages done to the buildings, on their giving a sufficient deed of the same & releasing the City from all damages.

Bemis

Ordered, that there be paid to William A. Bemis, tenant, the sum of twenty five dollars, for damages sustained by them in the widening of Friend Street, on their releasing the City from all further damages.

Ordered, that there be paid to 40%.

The widow & heirs of the late William Faxon, the sum of twenty five hundred & one dollars & eighteen cents, in full for seven hundred & thirty eight feet of land taken from their estate to widen Portland Street, including one thousand dollars for damages to the building & twenty five dollars & eighteen cents interest on their giving a sufficient bond of the same & releasing the City from all damages.

Petition of Thomas P. Hill, Hill,

requesting pay for the removal of paupers & prisoners to the Houses of Industry, Correction & Reformation & diseased & sick persons to the Hospital, also the dead from those establishments & to bury them, after assisting in placing them in their coffins, for an increase of pay for his services. Referred to the Committee on burial grounds.

The Committee on Common Sewers (Common) ask leave to make a final report of work done, expenses incurred, & amount received on account of Common Sewers the past year. There have been laid during that period one thousand four hundred & ninety seven feet of barrel drains & one hundred & forty five feet of square drains. The expense incurred has been two thousand five hundred twenty four dollars, and the amount received eight hundred ten dollars. The Committee also ask leave to make their report on several petitions which have been committed to them, many of which have been in their possession for some time.

& they feel themselves called upon in the first place to explain
 so unusual a delay in the action of a Committee of this Board.
 It has been occasioned by peculiar difficulties in collecting
 any of the assessments, which have arisen from the doubts en-
 tertained or expressed, by persons interested, as to the right
 of the City to lay any assessment on individuals immediate-
 ly benefitted, & the unsettled state of the law on the subject.
 This question has been a subject of discussion for some time,
 it was made a subject for legal discussion nearly two years
 ago in an action brought against Mr. Otis & others. The
 Committee have been confidently expecting from term to
 term, that the Court would finally decide the question,
 it has not however done it, but the cases remain contin-
 ued to the next spring term of the Supreme Court & your Com-
 mittee feel no certainty that they will be settled even
 then. In the mean time the influence of the names of the
 parties sued, one of whom was Mayor of the City, when
 much of the expense was incurred, has been sufficient to
 raise so much doubt, even among those who made no ob-
 jection to the fairness of the claim of the City, that a gen-
 eral refusal to pay has been the consequence. There
 have been therefore been placed in the hands of the So-
 licitor & Attorney upwards of seven hundred demands
 & there are likewise more than five hundred still in
 the office of the Treasurer, most of them against per-
 sons professing a willingness to pay if the law is so sett-
 led. The Committee also expected not only a decision
 of the question generally, but also one which might
 so precisely define the powers of the City, as to determine,

to what extent the benefit or advantage of a Common sewer 1109.
or must be, to an individual, in order to enable the
City to lay an assessment on him to pay its expense. Most
of the cases in which the Committee now report in favour
of the petitioners have been of those persons, who had suf-
ficient drains, before the new ones were constructed, but
which were neither so substantive & permanent, as those
which the City substituted for them. The parties were there-
fore to some extent benefitted by the new sewer, but the obj-
ect of the law being the removal of nuisances, which might
be prejudicial to the community generally, & the parties con-
cerned having at the time, sufficient drains for that pur-
pose. The Committee have questioned the right of the City
to make new ones at their expense, more especially when
the new drain has been laid without petition to this Board
or notice to any persons concerned. This was the case of
the sewers laid in Brighton Street in 1832. Carver
Street 1835. Prince Street 1834 & Washington Street 1835.
And the Committee therefore recommend that the petiti-
ons of Messrs. Newham, Suter, Ridgeway, Vash & Badger
relating to the assessment for the Common Sewer
in Prince Street, of Messrs. Drummond & Goodridge for
the sewer in Carver Street, of Messrs. Goring & others
for the sewer in Brighton Street, & of Messrs. Trow & others,
Redman & Coles & others for the sewer in Washington
Street be granted, not only because those individ-
uals did not derive the benefit from them which
the Law contemplated; but also because they had no
notice of the intentions of the City. The Committee

410. also report that the petitions of Messrs. Gabriel & Van Court relative to the sewer in North Margin Street & the 2^d Baptist Church relative to the same, be granted. The petitioners had drains with an outlet into the Mill Pond, which the Mill Pond Corporation agreed with the City to extend, & the Town having released the Corporation subsequently from that agreement, thereby assumed the obligation of extending said sewers & that for similar reasons the petition of John F. Davis & William C. Otis ought to be granted, they having paid the assessment on the sewer in North Margin Street & now ask to have it refunded. - also that the petition of John Smith ought to be granted, the new sewer having been made necessary by the act of the City in grading Commercial Street. Also that the petition of Mrs. F. Bailey relative to the sewer in South Margin Street ought to be granted on account of the poverty of the petitioner. That the petition of John Burroughs ought to be granted he not being benefitted by the sewer in Chamber Street. Also that the assessment for the sewer in Williams' Court ought to be revised, other persons being benefitted besides the petitioner, Mr. Dickson, and that the assessment for the sewer in Orange Street be cancelled & the amount assessed on those who now or may hereafter enter directly into the same. And finally that the petitions of Messrs. Curtis & others relative to the sewer in Staniford Street, Job & Taber & others relative to that in Quack Street & Raymond to that in Cross & Hancock Streets ought not to be granted, & that they have severally leave to withdraw. The Board will observe that all the cases before mentioned, relate to Common sewers

Said before the present system was adopted & in fact when 111.
there was very little system of any sort. Under the existing
management it is believed that nothing of the kind will
be likely to occur. The public will not probably suffer
any loss from sewers which have been constructed, since
the election of the present superintendent; to whom ability
& assiduity the Committee now offer their willing testimony.
Respectfully submitted for the Committee. Thos. Wetmore.
Read & accepted.

The Committee on streets, to whom Harris
was referred the notice of R. D. Harris, that the owners, Union
of the estate forming the point between Union street & Mass. Marshall
hall street intend to erect a new building on that spot
& requesting to know the views of the board in relation to the
streets by which the estate is bounded that they may make
their calculations accordingly. Have examined the premises, con-
sidered the subject & ask leave to report. That they found
that this part of Union street required about twelve feet
of land in breadth to be taken from this estate to widen the
street, & that when other buildings had been set back to wide-
en said street by a former board it was stipulated that
the widening should be extended to Hancock street when-
ever new & permanent buildings were about being erect-
ed. This part of said street for many years has been frequen-
tly so jammed with trucks & carriages that it was danger-
ous for passengers to pass through it. The particular
condition of these estates situated between the streets that
are but a small distance apart was such that it was
found it would cost the city a large sum of money

412. To widen this part of said street. Under these circumstances the board resorted to the laying out of Blackstone street under the expectation that among other benefits required it would relieve the travel that passed through this street. This expectation however has failed & this street continues to be as much jammed by the travel as before. The Committee under these circumstances (deemed it proper to call on three capable & impartial men to appraise the probable damage that this estate would sustain by the widening of this street. Their report accompanies & forms a part of this report. & the Committee recommends that the whole subject be referred to the next Board of Aldermen. For the Committee. Henry Tarn and Wood & Accepted.

Streets
Land taken for. was referred an order from the Common Council directing that the City Clerk on making record of any land taken for the use of the City for any new street, or for extending or widening any street, lane or alley, file with the City Auditor a concise account of the same with the agreed or estimated damages therefor, which it shall be the duty of the Auditor to record in a book to be kept by him for that purpose, in which he shall cancel when such damages shall have been paid, & that he shall forthwith lay the same before the City Council have convened, the same & ask leave to report. That as the above order when passed, will establish a new & different mode of proceeding in relation to streets from what has heretofore been pursued by the Mayor & Aldermen, & as the present City Council is so near its close. It might, with some propriety be considered, obtrusive for the present Council to pass an order,

The operation of which would be to govern another Council 11/13.
already elected but not organized. With these views on
this subject the Committee are decidedly of opinion that
said order, together with these brief remarks be referred
to the next City Council. For the Committee Henry Sum-
ner. Read & Accepted.

The Committee to whom was referred the petition of William D. Freeman, claiming a reward
for the detection & conviction of certain wire thieves, report-
ed as follows. viz. That the circumstances of the case of the ar-
rest of Crockett & Weybelle were such as to give no claim to
the petitioner to any part of the reward. They therefore
recommend that he have leave to withdraw. For the
Committee, Saml. A. Eliot. Read & Accepted.

John Morse, George King, Isaac Stone,
Henry Tyler, James Christian, Cephas M. Gunn & others,
Nathaniel Gilman, licensed as dealers in second
hand articles.

The Committee on the notice of the
of Methodist Episcopal Society, of their situation at the corner
on D & Silver streets, reported, that they requested Mr. Stone
Fuller to give the line of D. street, but not the line of
Silver street, that street not having been accepted by the
Board. Read & Accepted.

The Committee on the petition of
of Abner Forbes for the use of a room in the first school
house to teach the people of colour in the evening report-
ed as follows. viz. That they have granted the prayer.

414. of the within petition, & condition, that the Master be responsible for all damage which shall be done to the School room by the proposed school. For the Committee, Saml. A. Eliot. Read & Accepted.

Old County House. The Committee who were instructed to consider the expediency of altering the Old County Court House, to fit it for a City Hall ask leave to report, that there is not sufficient time left in the present municipal year, to obtain accurate plans & careful estimates of the expense of the alterations which would be necessary for the purpose. They therefore recommend that the subject be referred to the early consideration of the next City Council, & ask to be discharged from further attention to it. By order of the Committee, Saml. A. Eliot. Accepted in Common Council. Came up for concurrence. Read & Concurred.

Pine Street. The Committee on the subject of laying out & filling up Pine Street, reported as follows, viz. That they employed S. P. Fuller to stake out the within named street & the same has been filled up adjoining Front Street, the deepest & worst part of the job. The remaining part of the street will be filled by ashes & dirt by the City Carts as may be convenient & without expense to the City. For the Committee, Henry & Farnam. Read & Accepted.

Jail place. The Committee on the Jail, to whom was referred the Sheriff's communication respecting the Jail place, reported, that they have directed cert-

and necessary repairs of the fence to be made. Both on the 11/15.
representation of the Sheriff, & subsequently in conse-
quence of damage done by the recent gale. Read and
Accepted.

The Committee on the Pet. Milton,
ition of Milton, Wocum, & others, occupants of stores on the
der Faneuil Hall for a renewal of their lease, reported, & at
that the leases have been renewed at an advance of
ten per cent. on the former ones. Read & Accepted.

Adjourned to Thursday
next, four o'clock p.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall,
on Thursday the second day of January A.D. 1840.
Present,

The Mayor & the whole Board of Aldermen.

The Auditor of accounts Auditor
made a statement of the state of the various appropri-
ations for the present financial year, which was read
& sent down.

(V) Resolved, That there be added Appropriations
ed to certain Appropriations of the present financial
year the following sums of money, viz.
To the Appropriation for Repairs, fuel and other

1416. contingent expenses of all the Schools, except the Primary Schools, four thousand dollars:-
To the appropriation for Repairs of Public Buildings, one thousand dollars:-
To the appropriation for Burial Grounds, Public Tombs, & Funeral Cars, one thousand dollars:-
To the appropriation for Paving & Repairs of streets, three thousand & five hundred dollars:-
To the appropriation for Repairs of Bridges belonging to the City, one thousand & one hundred dollars:-
To the appropriation for Fixtures to extend the use of Gas, in lighting the streets of the City, four hundred dollars:-
To the appropriation for Building Reservoirs, three hundred dollars:- &
To the appropriation for Incidental expenses and Miscellaneous claims, five thousand dollars.
And that there be withdrawn from certain other appropriations the following sums of money, viz.
From the appropriation for an Reserved Fund, eight thousand & five hundred dollars:- &
From the appropriation for such public buildings as the City might order to be erected, seven thousand eight hundred dollars. Read & passed. Sent down for concurrence. Came up & concurred.

Will.

(The Committee on Burial Grounds to whom was referred the petition of Thomas

T. Hill praying extra remuneration for extra services 111%.
occasioned by the prevalent small pox now in this
City. have inquired into the facts therein stated, consid-
ered the subject & respectfully report: That the facts sta-
ted in said petition are all true, & that said Hill is
much relied upon as a faithful & industrious servant
to the City. That his labours by night & day (which
are of a very unpleasant nature) have been much
increased by the small pox which now prevails through-
out the City. The Committee have paid particular
attention to the investigation of this matter and are
fully satisfied that an extra allowance of one hund-
red dollars ought to be allowed to said petitioner for ex-
tra services which he has faithfully performed & submit
& recommend the passage of the following order for the
purpose. For the Committee. Henry. Barnum. Ord-
ered, That there be paid to Thomas T. Hill the sum
of one hundred dollars, the same being, allowed for ex-
tra labour performed by him, occasioned by the small
pox which prevails at the present time in the City,
& in consideration of his sickness occasioned by his ex-
posure to diseased persons, & that said sum be charged to the
appropriation for the Internal Health department.
Read, Accepted & the order passed.

The Committee on the Fire Engine
Department who were instructed, to inquire into the
truth of certain charges against members of Engine
Co. No. 8. have attended to the duty & ask leave to

1118. report, that the members, with counsel, were heard by the committee, & diligent investigation was made into the origin & nature of the difficulties which had arisen in the company, & the defence they desired to make against the charges brought against them. On a subsequent day, the officers of the company were heard by the committee, together with the evidence they had to adduce to substantiate their allegations. These hearings having been attended by one party only, another day was assigned for hearing them in the presence of each other; but in consequence of the absence or rather the tardiness, of the counsel of the discharged persons, this hearing was postponed. Before the day arrived, however, to which it was deferred, a proposition was made by the same party, & accepted to by the officers of the company, to present written statements of the case to the committee. These statements, together with sundry affidavits corroborating them, have been brought in & carefully examined; so that the committee believe themselves to be in possession of all the facts which either party desire to put in, or which are necessary to enable them to understand the case. They find that a portion of the company were dissatisfied, with the manner in which some of the officers were chosen in August last, & with the officers themselves; & that the trouble arising from that dissatisfaction became mingled with that which had previously been felt in some slight degree, by a few of the members, on other subjects. Nothing occurred,

However, seriously to disturb the harmony of the com- 119.
pany this election took place; & the Comm-
ittee cannot but express their opinion that the con-
fidence of the officers in the good fellowship of the mem-
bers apparently led them to pay less strict attention
than was desirable to the formalities usually obser-
ved in such elections, & to the rules which the com-
pany had adopted for its own government. This
is a thing of small moment, however in comparis-
on with a breach of the rules prescribed by the City go-
vernment for the Fire Department, or a violation
of that discipline which, for more than two years, has
made the Fire Department a model for such insti-
tutions & a favorite with the public. The proper
maintenance of this discipline the committee deem
of the highest importance, & they cannot therefore,
pass over any infraction of it which comes to their
knowledge without minute attention & decided
action. It is in evidence that the persons recently
discharged used language, & were guilty of conduct
which, without being an open violation of positive
rules, were disrespectful to the officers with whom,
they were dissatisfied, unbefitting men who were
engaged in the important duties of firemen, and
leading to bringing the Department again into dis-
repute & confusion. For these reasons the com-
mittee are of opinion that these men were
properly discharged. They were not dismissed
with disgrace, because their general character

420.

as firemen was stated by all parties to be good, & because with the indulgent view which these committees were disposed to take of their conduct, it did not amount to a violation of the ordinance. But it was thought to be a proper occasion for the exercise of that discretion, conferred by the 17th section to the Mayor & Aldermen. They were accordingly discharged, neither honorably nor dishonorably, but simply discharged: with nothing to prevent their continuing in the service, if they see fit, in other companies. But no one who understands human nature can believe that it would be expedient for the service, to return these men, to serve under officers of whom they complain so much as they do of the officers of No. 8. nor would it, on the other hand, seem very unreasonable to discharge these officers & half the company, & give the engine into the hands of the disaffected. Another course was suggested, viz. to disband the company & form a new one. The effect of this would have been similar to that last named, & would have been in fact discharging officers and men against whom nothing of any consequence was alleged. Under these circumstances the committee recommended that the vacancies in No. 8 be filled by the persons who have been heretofore nominated. For the Committee, J. A. Elliot. Read & accepted.

Mayor

) Application of W. G. Taylor

for a license to exhibit his submarine armor in 1/21.
The National Theatre on the afternoon & evening,
of Saturday next. Read & leave was granted, to ex-
hibit on Saturday afternoon only.

Adjourned to Saturday
next. Twelve o'clock. H.

At a meeting of the
Board of Aldermen of the City of Boston. Held at City
Hall on Saturday the fourth day of January 1840
Present.

The Mayor, & the whole board of Aldermen.

John W. Bradford. Wood Bradford
measures, at the northern scales returned, that he has meas-
ured the last year Three hundred & two loads
of wood & bark. Read & filed.

According to a signment H. Adams
this board proceeded by ballot to elect in its place
an Overseer of the House of Correction, in the place
of William L. Andrews, resigned, & the votes being
taken it appeared that Uriel Crocker was cho-
sen in concurrence with the board of Common Co-
uncil.

A.

At street	303.	309.	363.	391.	
Anne, "	28.	106.	286.	296.	302. 327.
Atkinson, "		230.			
Aldermen, time of meeting	3.				
chosen	380.				
Chairman	210.				
Accounts, com ^{ee} on chosen	11				
of City officers, com ^{ee} on	162.				
Alta. L. H. Edition	30.				
Alger, Cyrus	46.	{	Order respecting	212.	
Ames, Israel			Report of com ^{ee}	212.	
"	76.		"	88. 113.	
Angel			Order to pay	323.	
Athens, L. H.	76.				
Ancient F. Hon. H. C.	170.				
Archbald, Geo.	170.				
Atlas Ins. Co.	247.		Report of com ^{ee}	254.	
Atkins, W. C.	262.				
Athens	271.				
Ashlow, John	291.		Report of com ^{ee}	282.	
Adams F. Hammond	301.		"	307.	
Amesbury, Tnh. ² acc ² ag ²	22.				
Auctioneers licensed	75. 92. 267. 271. 278. 282. 287. 297. 302. 319.				
	327. 344. 383. 391. 402.				
Auditor of accounts, ways & means	79.				
estimate	127.		Annual report	404.	
chosen	200.		Rep ² of approp ² ed ² Valt ²	415.	
Statements of taxes, list of	84.				

Apprs. chosen

96

Capitolant chosen 112 126. 162.

one declines 120. 137. ~~112~~ 138.

Com. 237

Appropriations 126. 140. 365. 422.

American Transp. Co. Not. 138. Report of com. 158

Aqueduct Corp. Com. Memorial 149. 230.

Alion passengers, Sup. chosen 246.

acc. 305. 361.

Andrews, Wm. notified 276.

Wm. L. resigns 402.

B.

Breed, John W. Eastern Rail road 13. 14. 19. 23. 25. 80

Baldwin, James, Water commiss^{rs} report 19.

Baker, Abel Order to pay 46

Bonney, Pelham Not. 55. Report of com. 59

Bliss, Levi " 59 " 150

Boardman, B. G. " 67.

Wm. Order to pay 87.

Mary W. remonstⁿ 271. " 350

Brown, Benj. B. Not. 70.

Bates, H. B. 71.

Jos. V. " 287. Report of com. 295

Bingbee, Edw. " 92 " 102.

Bourne, J. W. " 169. " 262.

Bethnap, And. E. " 169. 204. " 196. 246. 254

Boylston & Woodford " " 170

Badger, Robt. St. Not ^y	204.		
Burgess, Joshua	214.	Report of com ^{ee}	246
Wm. G.			241
Bradshaw & Parker			246
Jeffer, Not ^y	302.		247
Brooks, P. L.	264 289		
Rep. Stor ^y L.	283.		
Geo.	402		
Brewer, Gardner	286.	Report of com ^{ee}	248
Barnes, J. W.			251
James	353. 402		
Brigham, Benajah	301.	Report of com ^{ee}	246
Brintnall, Cha ^s	302.		247
Lewis, Dan ^l Lewis	301.		
Wm. A.		Order to pay	246
Well, Wm. A.	246.		247
Brewster, Joh ⁿ	76.		
Boies, Jerem ^{iah}	77.	Report of com ^{ee}	247
Bradford, John	230.		
Buntou, Hazen J.		Order to pay	248
Brigham, J. M.			247
Brewsters, Stevens & Cushing	227.		
Binnay, Benj ^{am}			247
Beal, Sam ^l remonstrance	207.		
Blake, Geo.	301.		
Barry, Wm.		Order to pay	246
Bancroft, Jacob			247
Burial grounds, Supt	60.		
& cemetery	245.	Report of com ^{ee}	247

²⁵ street 71.
 Blackstone " 119. 202. 203. 213
 Beach " 206. 222
 Broadway " 223
 Bromfield " 232.
 Blossom " 274.
 Belknap " 298. 302.
 Bowdoin Square 293. 311.
 Brattle " 301. 315. 316. 324.
 Broad street 59. 70. 80. 90. 134. 130. 153. 161. 206. 219.
 269. 328. 350.
 Beacon " 238.
 Back Bay nuisance in 264.
 Bowdoin state report remonstrance 13.
 Births, marriages & deaths, respecting records of 320.
 Report of com^{ee} 398.
 Bulfinch, Cha^s communication 348.

C.

Common Council, message from A.
 President & Clerk chosen 1.
 seats of certain members vacated 64
 members resigned 173 334.
 number qualified 14. 85 217.
 Chaplain of St. Industry Correction H^{se} 17. 21.
 Charles river bridge 27.
 Chauncy place toll 30.
 Contracts, on advertising for proposals 86

City Council, members sworn 1.
 Clerk chosen 2.
 Hall, com^{ee} on 5. Report of com^{ee} 128
 Pott, " 15.
 Solicitor, " ordinance, respecting 60.
 Hall, marble for 114. Land to be purchased 221.
 Solicitor & Attorney Report of com^{ee} 139
 Wharf 197.
 Attorney chosen 211.
 Marshal's return 217.
 Solicitor chosen 231.
 Hall, on erecting a new one, report of com^{ee} 238
 Attorney 302
 Hall, on offering premium for model 306.
 com^{ee} on to make inquiry & report 326.
 County Attorney's salary 18.
 accounts, com^{ee} on 21.
 Common sewers, apportion^{ts} 7. 21. 28. 36. 40. 70. 134. 348. 362.
 380. 391.
 on bonds to enter 80
 final report of committee 407.
 Carlton W^m J^r. Order to pay 22
 Charlestown branch rail road, 27. 32.
 Correction, A. of acc^{ts} 30. 31. 51. 138. 151. 350.
 Master chosen 165.
 House of 251. 256. 264. 344.
 Oversee resigns 402.
 Another chosen 421.
 Cleveland, J. H. pet^r 107. 77. Report of com^{ee} 116.

Clark's street	145. 56. 104. 105.		
Chamber " "	67. 106.		
Crane " "	67. 243. 246. 391. 169. 204. 230		
Chardon " "	76. 88. 120. 000 271. 145.		
Cambridge " "	77. 94. 154. 140.		
Cedar (West)	91. 108.		
Carver " "	102.		
Cherry " "	161. 171.		
Charter " "	163. 168. 206.		
Cooper " "	166. 231.		
Church " "	199.		
Chestnut " "	202. 279. 394.		
Commercial " "	202. 317. 318. 349.		
Court " "	253.		
Charles " "	253.		
Cutham " "	263.		
Chardon " "	278.		
Castle " "	303. 393.		
Cross " "	307.		
Carrney place	306.		
Chewer Emily C. Net ^o	58.	Report of com ^{ee}	77.
Chapin M. & Co.		Order to pay	121
Coolidge L. D. Net ^o	120.		
Curtis J. H. & G. S.		Report of com ^{ee}	130
Thos. B. Net ^o	353.		
Cole & Webber		Order to pay 249. 167	
Codman, Fra ^s		Report of com ^{ee}	171
Custom house	177.		
Consulting Physicians chosen	201.		

Cooverly, Edw. ^d Pet ^r	228.	Report of com ^{rs}	293
	Order to pay	193. 404.	
Court house land,	202.		
Cotton, Susan,		Order to pay	261.
Constables appointed	268. 310. 349.		
	Mayor's nomination of one laid on the table	284	
	negatived,	290	
Central burial ground,	278.		
Common burial ground in	278.		
Coopers hill 'd ^o	300		
Cushing, Perez		order to pay	278.
Carver, Tho ^s memorial	298.		
Central wharf - Prop ^r . Pet ^r	301.	Report of com ^{rs}	316.
Commings, Roland S.		Order to pay	345
Lorano, Horatio V. Pet ^r	353.		

D.

D Street	413.		
Devonshire "	80.		
Deacon "	228. 293.		
Dock square	272.		
Deputy City Marshal, on abolishing office of	16.		
	Report of com ^{rs}	40	
Durgan, Asahel Pet ^r	69.	c. - - -	82
Dana, Sam ^l "	76. 271.	c. - - -	278. 80
Drapor, Dan ^l "	77.		
Dennison, James "	102		
Davenport V. Wyford "	118.		

Dodd, Benj ^a Pet ^o	134.	Report of com ^{ee}	147
Dyer, Freeman M.		" "	199
Ejra "	259.	" "	266
Micah "	286.	" "	314
Drummond, Tho ^s "	228.	" "	236
Davis, Jos. F. "	354.		
Drake, And ^o		Order to pay	157
Dickenson, Dan ^t		d ^o	224
Davenport, John		d ^o	233
Dexter, Aaron's heirs' Ac ^t		d ^o	234
Detwiler, Peter's demand		d ^o	284
Dexter, G. M. Pet ^o	204.	Order on 209. 215.	
Dodge, Loath ^c "	213.	Report of com ^{ee}	224
New Island	218.		

on leasing 320.

Dock square, on sale of chairs in 229.

Darling, Sam ^d		Report of com ^{ee}	368
---------------------------	--	-----------------------------	-----

E .

English, W ^m B. Pet ^o	7.		
Engine, for an ad ^o	20.		
N ^o 8.	293. 356.	Report of com ^{ee}	363. 417
" 11.	28. 46. 69. 92.	" "	37. 52.
at East Boston	28.	" "	69
houses	38.		
Water St.	63. 91.		
Ellis, David, Pet ^o	27.		
Equestrians on leasing	214		

<u>E.</u>	<u>Street</u>	169.	225	
East	"	32.		
Essen	"	58	82	
Endicott	"	141.	154.	223. 283.
Eaton	"	259.	266.	
Exchange	"	286.	347.	
Ellet	"	87.	123.	141. 161. 317. 334. 362.
School house		77.		
ward room		44.		
Edge, Isaac, jr.	Not ^e	78.		
Election law		83.		
Eddy, Caleb	"	290. 291.	Report of com ^{ee}	297.
East Boston		295.		

F

Finance, com ^{ee} on		5.		
Frost, Walter			Order to pay	15
Fuller, Benj ^s heirs			d ^e	29
Step ⁿ F. Not ^e	161.		Report of com ^{ee}	171
Leonard	"	380.	"	200
Fettyplace, W ^m	"	28.		69
Fitch, Jonas			"	36
Jer ^h	"	250		
Fisher, J. V. N.	"	43	Report of com ^{ee}	36
F.			"	119
Forbes, W ^m	"	76.		
Sam ^l remonstrance	134.		Order respecting	511
Abner Not ^e	383.		Report of com ^{ee}	412

Tree bridges, Sup^{ts} chosen 26.

Federal street 63

Friend " 118. 193. 251. 321. 310.

West " 222.

Fourth " 223.

Fifth " 234. 243.

Fulton " 247. 307.

Front " 283. 295. 317.

Strut " 344.

Field, Pearson & Co. Order to pay 38

Fire works, com^{ee} to provide 61. 78.

Department, Engineer buildings 283

Chief " other Engineers chosen 283

Foster, Wm. Met^{rs} 77. Com^{ee} 90. Order to pay 166.

Report of com^{ee} 94. 104. 328.

Eden B. " 114.

Wm. & Leonard memorial 266.

Faneuil Hall, occupants of stores Met^{rs} 161.

Market stalls 249.

Plan of alterations 348.

Caucuses in 353.

Furber, Tho^s Met^{rs} 165. 297.

Fort hill land 213. 224. Report of com^{ee} 198

Fence viewers, &c. chosen 212.

Field driver 271.

Fine arts in Boston 281. 231.

Hearing, Lincoln Order to pay 224

Flagg, Henry Met^{rs} 283. Report of com^{ee} 289

Fales, Sam^l " 286. 347.

Foltet, Dexter. Met ^o	344		
Gay, S. Church	161.	Report of com ^{ee}	369.
Freeman, Miriam D.	402.	C.	413
Franklin fund; Treas. ^r acc ^t	390.		308
Faxon W ^m		Order to pay	466.

G.

Gay, Horace		Report of com ^{ee}	8
G. S. Met ^o	141.	C.	134.
Remonstrance	317.	C.	324
John W. Met ^o	223.		
John Remonstrance	271.	Order to pay	353
Green, W ^m		d ^o	30
Nath ^l Met ^o	208.		
Gas lamps	28.	Report of com ^{ee}	
Company, contract with	404.		
George Street	91.	Report of com ^{ee}	108.
Garden Court.	134. 147. 224	366.	
Gridley	224.		
Grove	253. 265. 290. 291. 292. 293.		
George Smith M. Met ^o	101.	Report of com ^{ee}	125
Gov. P.			150
Grave burial ground	169. 196. 224. 240. 246. 250. 251. 252.		
Goodridges, Nancy B. Met ^o	170.		
Guzzi, And ^o	206.	Report of com ^{ee}	228
Giroffo, on licensing	214		
Garland, Jas. Met ^o	222.		
Greenough, W ^m	223	Report of com ^{ee}	220. 224

Green, Christ ^r	Net ^o	237	Report of com ^{ee}	259
Gould, Tho ^r	"	257. 270.	"	310
Gerrish, Tho ^r	"	207.	"	304
Goodbarr, J.	"	247.	"	
Greenwood, W. A.	"	300.	"	
W ^m J.				Order to pay 392.
Greenleaf, Tho ^r		d ^o 244. 245.		267
Guild, Albert		d ^o		349
Hannover, S. Cooks		242		
Garvey & Harvey	Net ^o	259.		
Gardner, W ^m			Reports of com ^{ee}	393.

H.

Harvey, Potter & Briggs	Net ^o	3.		
Handcarts, on removing		20.		
Highways, Surveyors appointed		21.		
Hale, Nathan	Net ^o	27. 91.	Report of com ^{ee}	107
Hales, W ^m	"	28.		
Hancock, John	"	18.		
Hayford & Davonport	"	102.	Report of com ^{ee}	117
Head, Ira	"	118		113
Hartwell, Henry	"	149.		
Highland guards	"	170. 397.	Report of com ^{ee}	226
Hicks, Tho ^r	"	163	"	201
Holmes, Dan ^d				226
Hartborn, Capt	"	228		233
Hancock light inf ^y	"	233. 355. 362.		244
Henshaw, Ward H ^o	"	234		245

Harvard Street	29. 118. 144. 193. 251. 261. 267. 327.		
Harvard	"	163. 201.	
Hamilton	"	230.	
Leachman Lane		168.	
Mallory's Square		278.	
Hospital for insane & idiots	30.	Report of com.	41.
		Order respecting	63.
		at South Boston	256.
Millow, John T. license revoked	40.		
May weighers chosen	64.		
Marding, Wilder, Met ^r	202.	Order to pay Sewer-	353.
Mall, Jacob	"	237.	Report of com ^m
Mallet, Geo.	"	247.	252
Match, Jos.	"	260.	
Manson, Leonard	"	271.	
Mauges, Dan ^l B.	"	272.	
Mitchinson, Caroline	i	380.	Report of com ^m
Mill, Tho ^s P.	"	407.	411
Morris, Rich ^d J.			411
Morse company			546
Micronomus, Michael Indonturo	268.		

I.

Tiers, James' heirs	order to pay	111
Industry Dir. annual report	15.	
House of land adjoining	163	
Directors chosen	164	
Independence, com ^m of arrang ^g	165.	celebrated

Indian Hospital	Report of com ^{ee}	325. 387
Board of visitors appointed		327.
Physician for		114.
Infant school		169. 240.
India & Central wharves		213.
Street		270.
Jefferson "		283. 293.
Jail com ^{ee} on	15.	Report of com ^{ee} 85. 121.
fence repaired		414.
Johnson School house land	20. 163. 211.	
Jackson, Geo. pet ^r	20.	Report of com ^{ee} 38
Land		32. 362.
Urban		Order to pay 261
Dr. L. pet ^r	272.	Report of com ^{ee} 287
Harves, Deming "	205.	" " 214
Jones, J. A. "	288.	" " 204
Harvest		" " 313
Exp ^d		Order to pay 403
Jentis, Susanna		d ^o 284
Bank shops		Report of com ^{ee} 83
Ordinance respecting		117.

K.

Knapp, Josiah pet ^r	87. 161. 317.
Kneeland, Street	123.
Kingston "	91. 335. 402. 108.
Killy "	107. 271. 108
Kendall, D. H. pet ^r	141.

Knight, Holland, S.^o

Report of com^{ee} 229.

1a.

Library, com^{ee} on 13.

Lamps " 16.

Report of com^{ee} 34.

Sup^r chosen 30.

at South Boston 33b.

causeway sheet 391.

Gas, on lighting 47.

Lumber, Surveyor general's return 27.

chosen 39.

Lowell, Rail Road 32.

Liberty Square, warehouse, let^o 5b.

Lyman, place, school ho. 58.

School house 72.

Theodore, let^o 24b. Report of com^{ee} 370. 388

Leighton, Cha^s " 67.

Lothrop, Stillman " 92. Report of com^{ee} 103

Sand, Nicholas " " 106

Larrabee, Mary " 117. " " 210

Lillie, Tho^s " 120. " " 134

Lobdell, Tho^s J. " 206.

Leavitt, Jos. M. " 222.

Luther, Slade " 246.

Lakeman, James " 387.

Licenses, revoked 72.

Long wharf prop. " 301. Report of com^{ee} 311

Lionow, Amy's Ex^{rs} " order to pay 193.

Lincoln street	91. 107. 113. 119. 206. 261. 317. 318. 327. 353. 354. 362.	143.
Langdon place	166.	
Limatic Hospital, Sup ^t & Physician, notice of nonconurrence	263.	
Conference on	263.	
Report	276.	
Chosen	301.	
Com ^{ee} on regulating	167. ordinance	320.
Report	276.	
Report of com ^{ee}	325. 387.	
Board of visitors	327.	
Steward	352.	
Lawrence, Amos. wooden pavement	263.	Report of com ^{ee} 272.
Wm. remonstrance	297.	
Lavery, Ann M ^{rs}	308.	Order of notice 309.
		Report of com ^{ee} 383.

. II .

Mayor, sworn	1.	Chosen	386.
		Thanks to	421.
Milk street	57. 65. 68. 85. 87. 94. 102. 115. 118. 120. 253		
	254. 261.		
Manning	71.		
McLean	102. 116.		
Mechanic	278. 283. 289.		
Myrtle	302.		
Mount Vernon	319. 327.		
Marshall	411.		
Mineo, W ^m M ^{rs}	59. Com ^{ee} 91.	Report of com ^{ee}	80.
Mackintosh, Peter, jr.	102.		116.
Marsh, Bela	283.		293.

Mechanics Association 114 286. Report of com^{ee} 391. 100

Marine Rail way, on removing 121. 258

Proprs. remonstrance 222.

memorial 303. Order for survey 310

Referred 382

Means, James declines as assistant ap^{er} 120.

Mortgages discharged 135. 150. 236. 260 290 317. 363.

Medical Society, Reports of com^{ee} 148

Communication 394.

Merrill, Dan^l. d^o 222.

Market stalls, leases of 236

stands to be removed 275.

Side walks 347

Matthews, John Order to pay 262

Meserve, John B. pot^l 291.

Mazum, Nath^l. S. memorial 305.

Map^l Char. Mech. ap^{er} pot^l 319.

Moore, Tho^s. Order to pay 345

McGrath, James d^o 358

Manning & Glover, pot^l 366. Report of com^{ee} 385.

Municipal Court, Judge 381

Methodist Ch^h. Com^{ee} 391. 410

Milton & Locomb 468

N.

North Baptist Ch^h. pot^l 22. Report of com^{ee} 377

Nash, Mary G. 282. 287. 387

New sheets 284

North Margin sheet	76.	113.		
Market	"	91.		
Square		224.		
Norton, Albert. pet.	77.		Report of com.	94
Nazro, John G.	"	163.	Can - - -	211
Nicolson, Sam.	"	169.	Can - - -	223
Newhall, James	"	204.		
Nuisances, orders respecting	135.	351.		
		Ordinances respecting		340
Newcomb, Norton			Report of com.	228
			Order to pay	245
National Theatre, renewal of licence	286.	Licensed		288
Lancers, Armoury	361.			

O.

Overseers of poor, receipts &c.	12.			
Otis, Wm. F. pet.	56.			
W. G. memorial	202.	279.	394	
Oliver, Geo. J. pet.	82.			
Royal	"	113.	Report of com.	225
Sheet		224.		
Oak	"	283.	295.	
Order 4 th of July chosen	165.	Thanks to		257.
Ordinances, promulgation of	221.	234.		
Ordway, Aaron pet.	264.	Report of com.		278
Moses, remonstrance	378.			
Old post house com.	382.	Report of com.		414

P.

Public buildings, com^{ee} on 4.

Superintendent 206.

City Solicitor's opinion 254.

Lands, com^{ee} on 5. instructed 113

Superintendent's report 21. 138. 349. 274.

Chosen 137.

Garden

Report of com^{ee} 8

Printing, com^{ee} on 7. 220. 371.

Primary-school houses, com^{ee} on 1/16. Report of com^{ee} 241
302.

242. 392.

Committee memorial 194.

on organization 210. Report of com^{ee} 239

Prince's Street 11. 88. 243 1/2

Portland " 76. 259. 271. 298. 306. 313. 349. 350. 355. 392.

Purchase " 113. 233. ~~113~~ ~~113~~ 261. 353.

Pinkney " 140. 171.

Pine " 283. 356. 414.

Pitts " 387.

Prisons inspectors 12.

Potter, Israel Pet^{ee} 25. Report of com^{ee} 31.

Parker, M. S. " 125. " 111

Isaac " 234.

Jon^{as} " 301.

Sam^l. W. " 352. 366. Report of com^{ee} 373

Pitts, Lindall's heirs " 91. Order to pay 323. 346.

Parr, James d^{ee} 49

Phineas " 302. Report of com^{ee} 317

Preston, J. " 91.

Porter, R. L.	Not ^o 138.	Report of com ^{ee}	158
Pulaski guards	" 234. 305.	C — — — 244.	319
Taine, Elias B.		Order to pay	144
Peter, Sol ^o	remonstrance 328.	d ^o	157
Pickering, John		d ^o	193
Pittman, Tho ^s S.		d ^o	403
Probate office	248.		
Physicians, public institutions, South Boston	{ 114. 258.	chosen	304.
Police officers	268.		
Pierce, James	Not ^o 264.	Report of com ^{ee}	276
Telby, W ^m	" 286.	C — — —	288
Plimpton, Henry	" 305.	C — — —	312.
Post office	298.	C — — —	307.
Park, John C.	" 285.		
Purchase St. Cong. Chh.	" 288.		

Q.

Quarterly reports of city officers 30. 158. 274. 280. 290.
352. 363. 369.

R.

Rules & orders joint 4. Report of com^{ee} 17.
com^{ee} on 4.

Information Directors report 21. 323. 158. 263.

House of 49. 155.

Directors chosen 164

Robinson, S. W. Not^o 27.

Rainsford Island, Physician & Keeper 24. 39.			
acc ^{ts} ag ^t Commonwealth 25			
Report of com ^{ee}			52.
City Council visit 312.			
Rail road to South Boston, Not ^{es} for 46.			
tracks in streets 54.			
Ridgway, John Not ^{es}	49.		
Robbins, Elisha W. "	54.	Report of com ^{ee}	68
Rayner, John "	76.	Cum -	88
Raymond, L. L. "	134.	Cum -	204
Ruthven, Rob ^t . E. "	140.	Report of com ^{ee}	160
Robinson & Wiggins "	140.	Cum -	171
Sho ^{es}		Cum - 141. 156.	233
Rifle Rangers "	161.	Cum -	194
Ridgway, Lucy "	170.		
Rowe, Jos. Val. "	202.	Order to pay	284
Remonstrance	394.		
Riley, James Not ^{es}	247.		
Wm.		Report of com ^{ee}	294
Rogers, J. G. "	272.		
Rupell, Benj ^a "	317.	Report of com ^{ee} 318. 327. 352.	
Ripley, Rob ^t . "	317.	Cum -	318
Rand, Benj ^a "	319.	Cum -	327
Registers of deeds & of probate	52.		
Registry of deeds	248.		
Resident Physician, South Boston 276. 64.			
no choice of 277.			
Posthumous			285
Receiving basin, drains in	273. 295.		

Reward offered 292.

Richmond street 66. 121. 167. 223. 224. 229. 234. 237. 260. 262.
278. 285. 314.

Representatives number of 321.

determined 322.

notices to 358. 368.

Revere, Jos. remonstrance 349.

Ritchie, James. Order to pay 366

Reference of all matters not acted upon 422.

S.

Standing com^{ees} chosen 2.

Snowhill street 11. 121. 120. 134.

Summer " 11. 102. 116. 214. 281.

Suffolk " 114. 306.

Short " 67. 90.

Second " 71. 307. 297.

Sudbury " 76. 293.

Salem " 237. 283. 92. 103. 252. 392. 290. 296. 305. 349.

Millman " 166. 349

Silver " 391. 413.

Streets widened, viz. Ann 28. Broad 153. Bronsfild 232.

Chamber 116. Cooper 231. Essex 38.

Green 265. Prince 88. Federal 65

Lincoln 1143. Milk 65. 87. Purchase 233

Portland 298. Temple 45. Richmond 66.

Salem 252. Unity 273.

Superintendent chosen 26.

Streets rail road tracks in 11/1	Report of com ^{ee}	37
to be paved 143. 157.		
Report of com ^{ee} of finance concerning 393.		
Stockers, Wm ^d M ^o	b. Report of com ^{ee}	39 45
Smith, Cha ^s A.	39.	
Wm.	Order to pay	247
J. R. M ^o	302.	
Benj ^e	361. Report of com ^{ee}	255
Shipley, Simon G.	C. . .	38
Storey, John	71.	
Safford, Dan ^d M ^o	80.	
Shelton, Tho ^s J.	113. Report of com ^{ee}	147
Shaw, R. G.	120. Report of com ^{ee}	216
to be notified 119.	Order to pay	288
Simonds, Jas. & Wm ^d M ^o	140. Report of com ^{ee}	154
Stevens, A.	141.	
Sturtevant, Geo.	Report of com ^{ee}	158
Stetson, Amasa	161. 277.	210
	Order respecting	249
Sargent, Margaret	170.	
Sutor, John	170	
Suffolk Light guards	205. Report of com ^{ee}	228
Sears, John	213. C. . .	276
David	238.	
Shepherd, James	223. Report of com ^{ee}	274
	Order to pay	268
Sherrman, Col ^d A.	231. Report of com ^{ee} 261. 262.	277
Mockwell, Sam ^l B.	259.	
Sumner, H ^o A.	259. Report of com ^{ee}	343

School house, ward N ^o 3.	6. 32. 43.		
houses		Report of com ^{ee}	38
dinner, com ^{ee} of arrangement	270.		
Snelling, Enoch H.		order to pay	39
Sears, John. license revoked	72. 84.		
Second hand articles	83.		
	dealers in	230.	
	licenses granted	231. 237. 248. 254	260
		264 294 375. 413. 402. 413.	
Manwood, W ^m protest	223.	Report of com ^{ee}	229
South Boston, public institutions at	223. 114.		
bridge	225.		
Cove Corp ^o Mel ^r	354.	Report of com ^{ee}	362.
Sewers & drains, Supt. chosen	227.		
Sheriff Sumner's account	227.	Report of com ^{ee}	236.
Sealers of weights & measures	231.		
Shaw, Rob ^t G. Com ^{ee}	260.		
	Mel ^r	293.	Report of com ^{ee} 314.
Swallow, Asa	283.	Com ^{ee}	290. 296
Sturgis, Josiah Com ^{ee}	355.	Com ^{ee}	359. 365. 371.
Small pox, com ^{ee} concerning	366.	Com ^{ee}	372. 388
	Hospital	379.	Com ^{ee} 383
	remonstrance against		378
Mayor & Marshal		order to pay	281
Steam packets	284.		
Stocking, J. W. Mel ^r	302.		
Side walks, bills for	324.		
Secretary of Treasury of M. C. & letter	394.		
State Lunatic Hospital	406.		

Melton & Thayer		Report of com ^{ee}	51. 62.
Salaries com ^{ee} on	96.	— — —	127
		monument monument	138
		Com ^{tee} of Conference	151
Sargent, Margaret		to pay	171
Somerset Court	120. 216.		
South burial ground	165.		
Streets, on taking land for	399.	that of com ^{ee}	412

T.

Treasurer, County's acc ^{ts} to		Report of com ^{ee}	18
acc ^{ts} com ^{ee} on	152.	— — —	207
Convention to elect	200.	Elected	209
to employ additional workers	292.		
Temple Street	45.		
Thames	272. 287. 345		
		land on to be sold	148
Thacker	301.		
Thatcher alley	305. 312.		
Thur, John W. pet ^r	118.		
Tra	230.	Report of com ^{ee}	245
Treble	49.		
Turban, John	57.		
Tyler, Anna		that com ^{ee}	62
Tucker Peter C.	247.	— — —	301
Turner, Ann	254. 294.		
Taylor, W. G. app ^r	120.		
Tax apayed	127.		

Water, com ^{ee} on.	5. 6.		
Comm ^{rs} report	19.		
Ward, Joshua land	7.		
Whitney, W ^m		Order to pay	11.
Whitwell, John P demand	129.	d ^o	192
Weston Inh ^a acc ^t against	11.		
Westford, " d ^o	12.		
White, Dall - Met ^o	14.		
Franklin " 244 213.			
Wm L remonstrance	243.		
Whitcomb, Eliza		Order to pay	19.
	Met ^o 102.	Report of com ^{ee}	116.
Whitman, Newhall	" 50.		78
Waters, W ^m Gal			59
Water, Th ^s B.	" 67. 113.		10 143
Washington, Theodore	" 68.		97
Winthrop, Tho ^s L.	" 47.		34. 104
Wood, James	" 91.		
Washington Light Inf ^y	" 120.	Report of com ^{ee}	207
Portrait of	275.		
Sheet	28. 46. 92. 102. 126. 204. 209. 215. 229.		
Water	182.		
Warren	102. 104.		
Williams	223. 229.		
Count	394.		
Wooden paving	25. 263. 297.		
buildings	48. 19.		
Watch, Captain chosen	50.		
Constable of "	267		

Warrants for ward meetings	64. 1 ¹ / ₃ . 351. 358. 368.		
Woodbury L. memorial	84		
Williams, John D. to be notified to lay side walk			119
Ward room ward N ^o 1.	134. 205.		
" 12.	212.		
Waldo, Ichabod W. pet ^r	161.		
Willet, W ^m	" 202.	Report of com ^{ee}	214.
Waterston, Rob ^t	" 205.		
Wick, J ^r	" 214.		
John		Order to pay	364.
Jim ^o		d ^o	300
Wheeler, Benj ^o		d ^o	320
Winslow blues memorial	213.		
Water power company		Report of com ^{ee}	215
Wells, Cha ^s A. pet ^r	283.	"	295
Wreck in the harbour	355.	"	354
	Order for removal	365.	
	Removed		371.
West Cedar Street.	91. 108.		
~~~~~			







































